REPORT RESUMES

ED 018 218 JC 680 101

FACULTY PARTICIPATION IN ACADEMIC GOVERNANCE--REPORT OF THE AAHE TASK FORCE ON FACULTY REPRESENTATION AND ACADEMIC NEGOTIATIONS, CAMPUS GOVERNANCE PROGRAM.

BY- WRIGHT, STEPHEN J.

AMERICAN ASSN. FOR HIGHER EDUCATION, WASH., D.C.

PUB DATE 67

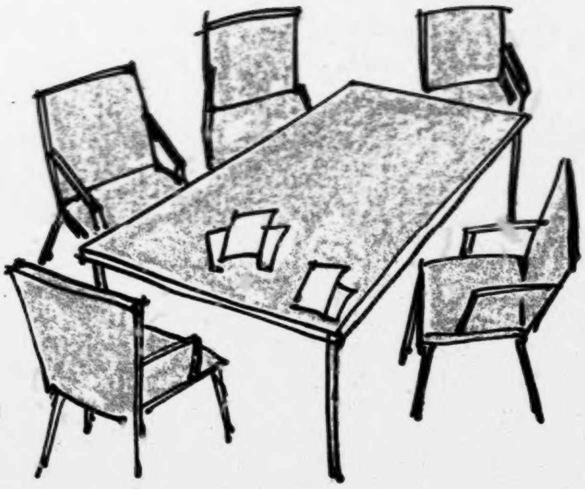
EDRS PRICE MF-$0.50 HC NOT AVAILABLE FROM EDRS. 74P.

DESCRIPTORS- *JUNIOR COLLEGES, *HIGHER EDUCATION, *COLLEGE FACULTY, *GOVERNANCE, FACULTY ORGANIZATIONS, *POLICY FORMATION, ADMINISTRATOR ROLE, TEACHER ROLE,

FACULTY DISCONTENT, WHICH IS INCREASING AT ALL LEVELS OF HIGHER EDUCATION BUT ESPECIALLY IN PUBLIC JUNIOR COLLEGES AND NEW 4-YEAR INSTITUTIONS, RESULTS MORE FROM A DESIRE TO PARTICIPATE IN POLICY DECISIONS THAN FROM ECONOMIC CONSIDERATIONS. EFFECTIVE CAMPUS GOVERNANCE SHOULD BE BASED ON A CONCEPT OF "SHARED AUTHORITY" OF FACULTY AND ADMINISTRATION INVOLVING A WIDE VARIETY OF ISSUES. THREE ALTERNATIVE APPROACHES, NOT RECOMMENDED BY THE AUTHORS, ARE INFORMATION SHARING AND APPEALS TO REASON, THE USE OF NEUTRAL THIRD PARTIES, AND APPLICATION OF SANCTIONS. SHARED AUTHORITY CAN BEST BE IMPLEMENTED BY AN INTERNAL ORGANIZATION LIKE A FACULTY SENATE, IF AREAS OF PRIMARY RESPONSIBILITY OF FACULTY AND ADMINISTRATION ARE CLEARLY RECOGNIZED. IF INTERNAL ORGANIZATIONS RECEIVE EFFECTIVE ADMINISTRATIVE SUPPORT, INTERVENTION OF OUTSIDE ORGANIZATIONS AND FORMAL BARGAINING RELATIONSHIPS SHOULD NOT BE NECESSARY. THIS DOCUMENT IS ALSO AVAILABLE AS STOCK NUMBER 251-08276 FOR $1.25 FROM AMERICAN ASSOCIATION FOR HIGHER EDUCATION, NATIONAL EDUCATION ASSOCIATION, 1201 SIXTEENTH STREET, NW., WASHINGTON, D.C. 20036. (WO)

ERIC

ED018218



FACULTY PARTICIPATION IN ACADEMIC GOVERNANCE

JC 680 101

AMERICAN ASSOCIATION FOR HIGHER EDUCATION

The American Association for Higher Education (formerly the Association for Higher Education) is a self-governing department of the National Education Association organized to serve individuals concerned with promoting the cause of higher education in the United States and overseas. As the only national educational organization open to faculty members and administrators alike—without regard to rank, discipline, or type or size of institution—AAHE is dedicated to the professional development of college and university educators and to the achievement of their educational objectives. It functions as a continuing forum for the growing expression of ideas relating to higher education and public policy. Its growing membership constitutes a representative cross-section of the American academic community.

Through a wide variety of projects, activities, and publications, including the annual National Conference on Higher Education, AAHE's program is directed toward such goals as improving college teaching; bettering conditions of professional work; building relationships among faculty members, students, administrators, and trustees; stimulating curricular innovation; advancing educational research; expanding educational opportunities; developing educational technology; influencing national higher education policies; and informing its members, and the general public, about current issues and problems in higher education.

U.S. DEPARTMENT OF HEALTH, EDUCATION & WELFARE
OFFICE OF EDUCATION

THIS DOCUMENT HAS BEEN REPRODUCED EXACTLY AS RECEIVED FROM THE PERSON OR ORGANIZATION ORIGINATING IT. POINTS OF VIEW OR OPINIONS STATED DO NOT NECESSARILY REPRESENT OFFICIAL OFFICE OF EDUCATION POSITION OR POLICY.

FACULTY PARTICIPATION IN ACADEMIC GOVERNANCE

Report of the AAHE Task Force on
Faculty Representation and Academic Negotiations,
Campus Governance Program

UNIVERSITY OF CALIF.
LOS ANGELES

FEB 23 1968

CLEARINGHOUSE FOR
JUNIOR COLLEGE
INFORMATION

AMERICAN ASSOCIATION FOR HIGHER EDUCATION
National Education Association
1201 Sixteenth Street, N.W.
Washington, D.C. 20036
1967

"PERMISSION TO REPRODUCE THIS COPYRIGHTED MATERIAL BY MICROFICHE ONLY HAS BEEN GRANTED BY American Assn. for Higher Education TO ERIC AND ORGANIZATIONS OPERATING UNDER AGREEMENTS WITH THE U. S. OFFICE OF EDUCATION. FURTHER REPRODUCTION OUTSIDE THE ERIC SYSTEM REQUIRES PERMISSION OF THE COPYRIGHT OWNER."

COPYRIGHT © 1967 BY
AMERICAN ASSOCIATION FOR HIGHER EDUCATION
National Education Association

$1.25 per copy—Stock Number 251-08276

Discount on quantity orders
(Postage will be charged on all orders not accompanied by remittance)

Foreword

Recent developments in higher education have occasioned considerable interest, both within and outside the profession, in problems relating to the governance of academic institutions: What voice should students have in establishing and administering college and university policies? How best can the faculty safeguard its freedom within the framework of professional responsibility? What are the hallmarks of sound academic administration? What does trusteeship mean in a campus setting? What guidelines and procedures should be followed in academic negotiations and economic representation?

To assist educators and laymen in understanding these and other questions centering on relationships in the academic community, t[illegible]es F. Kettering Foundation, in July 1966, awarded a grant to the American Association for Higher Education for the purpose of initiating its Campus Governance Program. Under the directorship of Morris Keeton, academic vice president of Antioch College, the Program is being developed in cooperation with colleges and universities through a series of research studies and the deliberations of special task forces.

This analysis of faculty participation in academic governance is the first document to be published under the aegis of the Campus Governance Program, and the AAHE is proud and privileged to present it as a report to the higher education profession. The Task Force responsible for this report was convened by the Association, but thereafter was given complete freedom to formulate the inquiry and compose the results in whatever form and style the collective judgment of its members dictated. AAHE is publishing the report in the hope that widespread public discussion of its implications will help clarify, and perhaps resolve, some of the issues surrounding the governance of colleges and universities. In producing its statement, the Task Force, which was composed of men with wide experience in this field, has rendered an invaluable service to the academic profession, and we should like to express our grateful thanks on behalf of the Association.

STEPHEN J. WRIGHT, *President*
For the Executive Committee
American Association for Higher Education

Washington, D. C.
July 31, 1967

Preface

This is a policy statement by professors about their role in the governance of institutions of higher education. The American Association for Higher Education, as an expression of its continuing interest in the problems of American colleges and universities, convened this Task Force on Faculty Representation and Academic Negotiations. Once the Task Force was established, the AAHE left it to distill its own wisdom and to make its own mistakes. The project was financed by the Campus Governance Program of the American Association for Higher Education, but the work of the Task Force was carried out without any preconditions or biases other than those imposed by the members of the Task Force themselves.

Since the AAHE demonstrated its respect for academic freedom, we must adhere to the parallel principle of academic responsibility. Accordingly, it should be stated explicitly that this report presents the judgments of the Task Force alone and not those of the sponsoring agency. Moreover, each member of the Task Force concurs in the views expressed herein. The fact that a group comprised of professors coming from different disciplines and diverse institutions could reach agreement on basic principles of academic governance reinforces our belief that faculty participation in the governance of institutions of higher education can have constructive results.

Arnold R. Weber
Chairman, AAHE Task Force
Professor of Industrial Relations
University of Chicago

Henry H. Bagish
Associate Professor of Sociology
and Anthropology
Santa Barbara City College

John F. Burton, Jr.
Staff Director, AAHE Task Force
Associate Professor of Industrial
Relations and Public Policy
University of Chicago

C. Addison Hickman
Vandeveer Professor of
Economics
Southern Illinois University

John C. Livingston
Professor of Government
Sacramento State College

Walter E. Oberer
Professor of Law and Industrial
and Labor Relations
Cornell University

Charles M. Rehmus
Professor of Political Science and
Co-Director, Institute of Labor
and Industrial Relations
University of Michigan

Frederick R. Livingston
Counsel

Donald H. Wollett
Counsel

Contents

page 1 ..... Summary of Findings and Recommendations

page 5 ..... chapter **1** *The Objectives of the Task Force*

page 9 ..... chapter **2** *Faculty Unrest and the Need for Improved Representation*

page 14 .... chapter **3** *Faculty Participation in Academic Governance: Perspectives and Principles*

page 27 .... chapter **4** *Issues, Institutions, and Decision-Making*

page 33 .... chapter **5** *Organizations for Faculty Representation*

page 47 .... chapter **6** *Alternative Approaches to Decision-Making*

page 56 .... chapter **7** *Systems of Faculty Representation*

Summary of Findings and Recommendations

I

Faculty discontent recently has become evident in institutions of higher education in the United States.

The main sources of discontent are the faculty's desire to participate in the determination of those policies that affect its professional status and performance and in the establishment of complex, statewide systems of higher education that have decreased local control over important campus issues.

Economic factors, such as salary level and structure, have contributed to faculty discontent, but appear to be of secondary importance.

The main centers of faculty discontent are in the public junior colleges and the new or "emerging" four-year colleges and universities.

II

An evaluation of the essential functions of administrators and faculty leads to the judgment that an effective system of campus governance should be built on the concept of "shared authority" between the faculty and the administration.

III

A meaningful application of the concept of "shared authority" should involve a wide variety of issues. The issues include educational and administrative policies; personnel administration; economic matters ranging from the total resources available to the institution to the compensation for particular individuals; public questions that affect the role and functions of the institutions; and procedures for faculty representation in campus governance.

A further, broad distinction may be made between "aggregate" issues that affect the faculty as a whole and "individual" issues that have a special relevance for the individual faculty members.

IV

There are various levels of decision-making for different issues in colleges and universities, especially those institutions in large public systems. Arrangements for faculty representation in campus governance must be related to the locus of decision-making in the institution and the system.

V

Several types of organizations can provide for faculty representation in campus governance:

An internal organization, such as an academic senate, is an integral part of the structure of the institution in which the faculty is represented.

An external association, such as the AAUP, attempts to exert influence outside of the framework of formal campus governance.

A bargaining agency, such as some locals of the American Federation of Teachers or some units and affiliates of the National Education Association, seeks to enter into formal negotiations with the administration with the objective of reaching a written agreement.

Faculty members should have the right to select the type of organization, or the combination of organizational arrangements, that they believe is most appropriate to their needs.

VI

There are three alternative approaches to faculty-administration decision-making in campus governance. These include information-sharing and appeals to reason, the use of neutral third parties, and the application of political, educational, or economic sanctions. The greatest reliance should be placed on information-sharing and appeals to reason.

Neutral third-party intervention, such as arbitration, can be used constructively when an impasse arises between the faculty and the administration. Sanctions should be applied only where vital issues are involved and other methods of resolving disputes have failed. Although the strike is a weapon of last resort, there are no persuasive reasons to deny faculty members the right to use this sanction.

VII

The concept of "shared authority" can best be implemented through the establishment of an internal organization, preferably an academic senate. An effective senate should meet the following requirements:

The senate which has decision-making authority normally should include both faculty members and administrators. Faculty members should comprise a clear majority of the senate.

The structure of the senate should take into account the structure of the institution in which it operates. This means that in states with comprehensive plans of higher education, the structure of the senate should be extended to multicampus units.

Most "aggregate" issues, affecting the faculty as a whole, should be decided by the senate. However, it is recognized that some issues, such as grading standards, should be primarily under faculty control, while other issues, such as the business management of the institution, should be primarily under the control of the administrators.

The senate should establish a special budget committee to deal with the general allocation of resources among the component parts and programs of the institution.

The senate should rely upon information-sharing and appeals to reason as the preferred approach to resolving faculty-administration disputes. Political and educational sanctions may be used in serious disputes that have not been resolved through other methods.

VIII

A formal appeals procedure should be established to resolve disputes involving individual faculty members and the administration.

The substantive scope of the appeals procedure should be determined by the academic senate.

The appeals procedure may make provision for neutral third-party intervention, including arbitration.

IX

External associations such as the American Association of University Professors and the American Association for Higher Education can act as a constructive complement to the academic senate by providing information and technical services, and by supporting educational sanctions if they should become necessary.

X

Formal bargaining relationships between the faculty and the administration are most likely to develop if the administration has failed to establish or support effective internal organizations for faculty representation. In such institutions, the faculty should have the right to choose a bargaining representative.

Bargaining agencies will tend to focus on economic matters, such as compensation, and issues of personnel administration. They will also press for a formal grievance procedure to handle disputes between individuals and the administration.

Even though a bargaining agency is present, certain "aggregate" issues of educational policy and administration may be assigned to an academic senate. However, the relationships between the bargaining agency and the senate probably will be highly unstable.

Bargaining agencies may develop and utilize decision-making techniques based on information-sharing and reason, but they may resort to sanctions, such as the strike, when crucial issues are at stake and other means have been exhausted. Although strikes are generally undesirable in institutions of higher education, under certain circumstances they may be a less destructive alternative than other sanctions.

XI

Some system of faculty representation is likely to emerge in most institutions. The pattern of campus governance that prevails in the future will be determined by the measures that governing boards and administrators take to deal with faculty aspirations now.

1

The Objectives of the Task Force

American colleges and universities are embarked on a period of unparalleled growth and change, testing traditional concepts of higher education and educational administration. As part of this change, faculty members are taking a new look at their relationships with the administration of institutions of higher education.

Concern over the role of the faculty on the campus has been manifested in various forms. The greatest attention has been commanded, however, by demands for "academic negotiations." Behind this genteel euphemism lies the fact that many college professors have discarded existing notions of propriety and have joined unions in significant numbers and pressed for formal negotiations with the administration. Although exact figures are not available, the American Federation of Teachers, the union which seeks to organize teachers in all educational institutions, has claimed as many as 10,000 members in colleges and universities. In addition, other professional organizations have sought to enter into academic negotiations on several campuses. In at least five cases, faculty members have recently resorted to strikes to reinforce their demands for a bargaining agreement. It is not clear whether these developments represent a trend or unrelated occurrences, but these events warrant attention and analysis.

These dramatic developments are supplemented by other evidence of increased interest in the changing role and rights of professors. Faculty members have organized to exert pressure on their governing bodies, particularly in public, multicampus systems. In 1966, the American Association of University Professors, the American Council on Education, and the Association of Governing Boards of Universities and Colleges issued a joint statement on academic government. And at many institutions conscious efforts have been made to improve governance by the establishment or strengthening of a traditional academic senate. These developments cannot be measured with scientific precision, but it is apparent that faculty unrest and demands for more effective representation in the affairs of the college and university have reached significant dimensions.

THE WORK OF THE TASK FORCE

In view of these developments, the American Association for Higher Education convened this Task Force to examine the factors contributing to faculty unrest and to recommend procedures for improving faculty participation in campus government. The Task Force's analysis and recommendations have been strongly influenced by intensive field investigations. Altogether, we visited thirty-four separate institutions in different parts of the country. They included twenty-eight public and six private colleges and universities. The public institutions included twelve junior or community colleges, seven municipal or state colleges, seven institutions that recently had attained university status, and two long-established universities.

In view of the limitations on time and resources, no attempt was made to develop a scientific sample. Instead, we selected those institutions where there was prior indication that major developments in faculty-administration relations were taking place. At each campus visited we talked with top administrative officials, leaders of the faculty organizations, and other persons knowledgeable about the current state of affairs at the institution. As an encouragement to frank discussion, we guaranteed anonymity to both institutions and individuals. The data collected did not always confirm our presumption that conflicts existed between faculty and administration. Nonetheless, we discovered enough problems to occupy generations of chancellors yet unborn.

In addition to making the campus studies, we interviewed officials of the union and the major professional associations that have a direct interest in the problems of faculty representation. The field interviews were further supplemented by an extensive search of relevant published and unpublished materials. In the course of this search we found various documents and case studies that were useful to us in our deliberations. All in all, we believe that we were able to gain both a general perspective on the problems of faculty representation and an appreciation of the specific factors underlying demands for change.

THE SCOPE OF THE REPORT

In carrying out its assignment, the Task Force posed several questions for investigation and analysis. What factors have given rise to the current faculty unrest on the campus? How do these factors differ from the traditional causes of dissatisfaction? What principles and values should define the role of the faculty in institutions of higher education? What organizational forms have been developed to express and promote faculty interests in the governance and administration of colleges and universities? How effective have these forms of organization been in carrying out their functions, and how might they be improved? What are the substantive issues for faculty representation in institutions of higher education? What techniques can be used to avert and resolve faculty-administration disputes? Should college professors use economic sanctions, including the strike? Is unionism compatible with the basic functions and administrative requirements of institutions of higher education?

Obviously, it is not possible to provide conclusive answers to all of these questions. The diversity of American institutions of higher education inhibits any disposition to formulate pat solutions to the problems of faculty representation. Moreover, the situation is in a state of rapid change, and future events may overturn judgments based on an evaluation of the current state of affairs. Nevertheless, it is possible and desirable to reassess the role of professors in the administration of colleges and universities in the light of current developments. This assessment can serve to indicate the choices available and the preferred directions in faculty representation. The analysis necessarily involves value judgments by the Task Force members, but some comfort may be derived from the fact that these judgments have been drawn from, or tempered by, empirical investigation.

The plan of the report reflects our approach to the problems under consideration. Chapter 2 discusses the factors that have given rise to faculty unrest. Chapter 3 analyzes the values and principles that shape the role of the faculty in the governance of institutions of higher education. Chapter 4 identifies the issues that may be the focus of faculty representation and delineates the institutional framework within which these issues are considered. Chapter 5 considers the organizational forms that have been or may be used to implement faculty representation with respect to the various issues. Chapter 6 examines the techniques and sanctions that may be used in faculty-administration decision-making. Chapter 7 attempts to tie together the preceding analysis of values, issues, organizational forms, and techniques into comprehensive models of faculty representation. Most of our specific recommendations are incorporated in Chapters 5-7. However, the wary reader will note that each section contains its share of prescriptions and admonitions.

THE LIMITS OF THE REPORT

One final note is in order concerning the scope of this report. A broad consideration of the problems of faculty representation touches upon many supplementary issues, such as the right of students to participate in campus governance, the appropriate functions of boards of trustees, and the optimal organization of systems of higher education. Each of these questions is important, but we have excluded them from our discussion. This decision was based on the belief that the problems of faculty representation are sufficiently complex to demand our full attention and that they could be considered intelligently without resolving other issues. Making a limited inquiry was deemed preferable to scattering our modest resources over a wide array of problems.

2

Faculty Unrest and the Need for Improved Representation

In conventional labor-management situations, worker discontent is often associated with periods of economic adversity. In contrast, faculty dissatisfaction is clearly a child of growth and affluence. Even the most monastic academic probably is aware that he "never had it so good" in terms of available employment opportunities, compensation, and prestige.

Enrollment in institutions of higher education has nearly doubled in the last decade, and in 1966-1967 exceeded 6 million students. This increase in enrollment has led to a parallel expansion of the number of full- and part-time faculty members to a total of almost 400,000. Under these felicitous circumstances, the annual salaries of the teaching faculty in all ranks and institutions have increased, on the average, more than 5 percent per year since 1960. This improvement in the well-being of the professor has been augmented by greater public recognition of the importance of specialized knowledge and higher education, so that college teachers now enjoy greater prestige in the community at large.

RISING EXPECTATIONS

The paradox of affluence and unrest may be partly explained by the changing expectations engendered by growth. Thus, the enhancement of the economic and social status of the professor probably has been accompanied by a more rapid rise in his expectations. This phenomenon is well known in regard to underdeveloped nations, and may apply to underdeveloped professions as well. In many academic institutions, moreover, the notion of professionalism is a polite fiction. With the rise in status and the expansion of opportunities, many faculty members now demand the full prerogatives of professionalism. This means that professors, like members of other professions, seek direct participation in the formulation of the policies and rules that govern the performance of their duties.

The Junior Colleges

Pressures appear to be most acute in the junior colleges. In the period 1960-1965, enrollment in junior colleges increased at a rate nearly twice that of four-year institutions. By 1966, there were approximately 800 junior or community colleges in the United States, with almost 1,500,000 students. Coincidentally, there has been a major change in the nature and administration of junior colleges. Whereas many formerly gave almost exclusive emphasis to vocational courses, some have modified their mission to become part of a system of academic higher education. This shift in orientation has sometimes coincided with a change in administration from control by the local board of education governing elementary and secondary education to integration into a district or statewide junior college system. The modification of function and administration has meant that many junior college faculty members are no longer satisfied with the passive role of teacher in a highly centralized structure where control over educational policies and the conditions of employment is lodged in the hands of the board and the head of the institution. Instead, they now seek the college professor's traditional academic status and rights of participation.

In fact, the case studies indicate that the greatest discontent and most visible tendencies toward unionization are found at the junior college level. On several of the campuses visited, there was considerable faculty dissatisfaction over the complete control by the administration of curricula and promotions and the rigid application of rules governing the conduct of professional duties, such as the requirement that each faculty member spend a fixed number of hours on campus. The new status and prospective growth of these institutions make it unlikely that junior college faculties will long continue to accept such limitations on their role.

The Emerging Institutions

Similar developments have taken place in the new or emerging four-year colleges and universities. In many cases, these institutions have grown out of former teachers colleges which had a limited enrollment and a specific educational objective. In this context, the conventional forms of faculty representation often are shallowly rooted or nonexistent. Consequently, when the institution is elevated suddenly to a full-fledged college or university, many strains are likely to develop. The new faculty members, in particular, who come with strongly held notions of faculty rights to representation may have strong negative reactions to the lingering style of rigid administrative control. The problems of transition have on occasion been aggravated by the fact that the top administrators have a background in secondary education with an authoritarian tradition of management inappropriate to colleges and universities. Significantly, several of the studies have revealed that in such situations militant faculty activity—including the formation of a union—is more likely to come from newer faculty members with exemplary academic credentials than from the more senior elements on the campus.

CHANGES IN EDUCATIONAL ORGANIZATION

Another development underlying faculty restiveness and demands for improved procedures for representation is the establishment of rationalized, statewide systems of higher education. In many states, the judgment has been made that public higher education is too big, too costly, and too complex for each institution to be allowed to formulate its own programs and to present its own budget requests to the legislature without over-all coordination. The desired coordination and control is usually embodied in a "master plan" to be administered by a "super board." Most of the urban-industrial states, such as California, Illinois, and New York, have created elaborate systems of higher education.

The movement toward the coordinated-system approach has had a sharp impact on the role of the faculty on the individual campuses, even on those that have well functioning procedures for faculty representation. First, the creation of a super board moves the locus of decision-making for some issues of critical concern to the faculty to a level beyond the reach of local procedures. The issues that are displaced upward range from budgetary matters to admissions policies to the kinds of degrees that may be offered. Any faculty influence exerted at the level of the individual institution is bound to be diluted when it is transmitted to the higher reaches of the bureaucracy or to the legislature. In addition, the chief executive officer of the local institution may minimize or modify the impact of faculty influence by the nature of his presentations to the super board and the legislature. In fact, the faculty of one state college system was so aggrieved by what it viewed as the inept presentations of its administration that it passed a vote of no confidence.

Second, the establishment of statewide, multicampus systems sets the stage for invidious comparisons and competition among the different units. This competition may involve finances and the scope of the educational program on individual campuses. The case studies show that interinstitutional competition tends to be minimal when the system is in the early stages of development and aggregate resources available for higher education are rapidly expanding. However, when a period of consolidation is reached and the amount of funds available for salaries and other matters stabilizes, such competition may become acute. In this framework, the desire for effective faculty representation becomes part of a broader conflict.

Third, the development of elaborate systems of public higher education has had a cumulative, subjective impact on the faculty's sense of autonomy and control. In some states, the new organizational structures are so complex that it is not clear who, if anyone, can now wield effective decision-making power. Authority may be diffused among the chancellor of the local institution, the president of the over-all system, the board of trustees, various state agencies, the governor, and the legislature. Situated at the base of this ponderous hierarchy, the individual faculty member may feel insulated from, or ignorant of, the decisions that will determine his professional role and well-being. If the faculty members at junior colleges have been aroused by the demand for powers that they never had, the faculty members at many of the four-year institutions have become restive over the loss of control that they once thought was theirs.

PERSONNEL AND ECONOMIC ISSUES

In addition to these broad questions of faculty autonomy in complex educational organizations, other, more specific issues have given rise to unrest on some campuses. For the greater part, these problems are a direct or indirect consequence of the rapid growth of higher education. With the infusion of large numbers of junior faculty members, the process of "peer" evaluation is sometimes viewed as a device by which the elders maintain their position of preeminence or control at the departmental level. Expanded enrollment often has meant large classes, especially in the public institutions. And controversies over work schedules and class assignments, as well as the perennial yearning for adequate office space and secretarial help, have excited the faculty in some of the institutions studied. It is significant to note, for example, that one of the first collective bargaining agreements negotiated at an institution of higher education specifies that each faculty member shall have his own office, desk, and "wherever possible" a swivel chair.

It is perhaps most symptomatic of the improved status of the college professor that economic considerations are not of primary importance among the factors giving rise to faculty discontent. To be sure, faculty members, like other wage and salary earners, have demonstrated a continued interest in increased compensation. Organized pressure for increased salaries appears to be strongest in the junior colleges studied. In addition, in some of the four-year institutions the faculty has made aggressive use of the national salary data published by the American Association of University Professors. In a few cases, changes in salary differentials between ranks and departments have persuaded some faculty members that the new affluence has passed them by.

In general, however, our field studies do not indicate that economic factors *per se* have been an important consideration underlying recent expressions of faculty unrest. Many faculty members undoubtedly desire to play a formal, organized role in the process of salary determination. On the other hand, it is equally clear that generous increases in compensation will not mute the demands for expanded faculty representation arising from a changing conception of the professor's place in institutions of higher education.

Although there is an obvious bias in our sample, the greatest faculty unrest appears to exist in the junior colleges and in the new or emerging public colleges and universities. But problems concerning the proper faculty role in the administration of colleges and universities also were observed in the few private institutions examined. A broad view of the academic scene indicates that the forces that are most manifest in the public sector will have reverberations that eventually will affect most institutions of higher education.

3

Faculty Participation in Academic Governance: Perspectives and Principles

Identification of the factors giving rise to demands for faculty participation in academic governance is the first step in the formulation of policies to deal with this problem. Any policies, however, should also reflect a broad consideration of the possible authority relationships between the faculty and the administration and of the most productive roles for these two participants in campus governance. This chapter attempts to provide such a broad framework for our subsequent analysis and recommendations. First, a simple model is developed which describes the possible distribution of decision-making authority between the faculty and the administration. Second, the model is used to relate the findings of our survey of various colleges and universities. Third, general judgments are made concerning the appropriate division of functions and distribution of authority between the faculty and the administration. Last, the conditions necessary to effectuate the prescribed allocation of authority are specified.

THE DISTRIBUTION OF AUTHORITY

Theoretically, there are innumerable ways in which decision-making authority could be distributed between the faculty and the administration. In the model developed here, the range of possibilities is translated into a continuum of five zones. In this discussion, the executive and the board of trustees are lumped together as the "administration." The roles of students, alumni, and others in campus governance are not defined. The model can be used to evaluate the allocation of authority with respect to specific issues or to describe the general state of faculty-administration relations on a campus.

The continuum depicts discrete alternatives in the allocation of authority in decision-making. By "authority" we mean effective influence. Effective influence may or may not be synonymous with legal authority, because there may be a *de facto* shift of decision-making power away from the party with the *de jure* authority. In addition, several parties can enjoy some influence in determining a particular decision. Thus, effective influence can be described as the relative ability to specify the alternatives considered in resolving a given issue and to control the determination of the alternative that is ultimately selected.

The five zones of authority or effective influence described here are administrative dominance, administrative primacy, shared authority, faculty primacy, and faculty dominance.

Administrative Dominance

One end of the continuum represents a situation in which the administration makes decisions essentially on a unilateral basis, with the faculty exercising little or no influence. The faculty is merely informed of decisions after they are made or consulted before a course of action is selected, but the administration gives the faculty viewpoint only *pro forma* consideration.

Administrative Primacy

In the second zone authority resides primarily with the administration, but the faculty is actively consulted and its views are given careful consideration in reaching a decision. Faculty opinions may be presented in a formal manner, using such techniques as resolutions or petitions forwarded to the administration. Faculty influence may also be exercised by informal methods such as statements by leading faculty members, passive resistance to administrative decisions, and other manifestations of discontent. In any given decision, however, administrative views are given greater weight if there is a division of opinion.

Shared Authority

The middle zone of the continuum can be designated as one of shared authority. Here, both faculty and administration exercise effective influence in decision-making. The concept of shared authority may be implemented through various institutional procedures. For example, the formulation of educational policies may be carried out by an academic senate comprised of faculty members and officials of the administration. A joint grievance committee may be established to handle disputes involving issues of personnel administration. Collective bargaining also constitutes a form of shared authority.

It should not be inferred that all forms of shared authority are comparable and have a similar effect on the quality of faculty-administration relationships. Both collective bargaining and the delegation of decision-making power to an academic senate are variants of shared authority, but the substantive and tactical implications of each may be quite different. Collective bargaining is unique in the sense that it accepts the probability that disagreements between the parties will be resolved by the use or the threat of sanctions.

Faculty Primacy

This constitutes the fourth zone on the continuum. Here, decision-making authority rests primarily in the hands of the faculty, although provisions are made for prior consultation with the administration and for the airing of administration views. In most public institutions, acceptance of the principle of faculty primacy would involve tacit or explicit delegation to the faculty of those powers legally vested in the administration or the board of trustees.

Faculty Dominance

In the final zone unilateral decision-making authority is vested in the faculty. Such a condition will probably exist only for a limited range of issues related to the classroom and research activities of the faculty.

Because the continuum is composed of zones rather than points, it must be applied with caution. There can be wide variations among the institutions in a single zone as well as among institutions identified with different zones. For example, faculty-administration relationships that fall in the zone of administrative primacy may range from near-authoritarianism to situations that approach shared authority. Also, authority relationships on a particular campus may vary from issue to issue. Nonetheless, the model can be a useful device for describing the distribution of authority and for providing a framework for policy recommendations.

THE DISTRIBUTION OF AUTHORITY: SOME PATTERNS OF PRACTICE

Despite the difficulties of classification, it is possible to assign each of the campuses studied to a particular zone on the basis of an evaluation of the general tendency of existing practices. The resultant distribution of campuses among the zones provides some insights into the nature of decision-making in contemporary institutions of higher education.

Approximately 50 percent of the institutions in our sample were characterized by administrative primacy. Another 25 percent fell in the zone of shared authority, where both the faculty and the administration enjoyed effective influence over major decisions. Of the remaining 25 percent, the largest proportion fell into the category of administrative dominance, while only a few campuses were marked by faculty primacy over a broad range of issues. None of the institutions studied could be described as cases of faculty dominance.

As indicated previously, the sample was not designed to provide a cross-section of American higher education. Many of the institutions were chosen because of apparent signs of faculty discontent. It is therefore possible that the sample understates the prevalence of campuses where the faculty has been forced to accommodate to, or has acquiesced in, administrative dominance. On the other hand, the fact that the Task Force tried to go "where the action was" may also mean that institutions characterized by shared authority, faculty primacy, or faculty dominance are underrepresented. In any case, there is undoubtedly some bias in the sample.

Aside from these statistical generalizations, the case studies provide certain qualitative insights. Formal procedures for campus governance do not always tell the full story. Much of the machinery for faculty involvement is very recent, and the jury is still out. Patterns of behavior change slowly, and impatience with new procedures for the exercise of faculty influence sometimes leads to bypassing or manipulation of these procedures by the administration. In many cases, faculty apathy appears to have seriously limited effective faculty participation in campus decision-making. In some institutions, elaborate machinery for joint action has not been established; nevertheless there is a meaningful sharing of authority between the faculty and the administration. Whether this state of affairs will persist without the development of formal procedures is an open question.

The case studies of institutions in statewide systems also suggest that effective faculty influence on an individual campus may be inadequate when many major economic and educational decisions are made at higher administrative levels. In fact, the faculties on some campuses have taken vigorous steps to extend the concept of shared authority to decision-making on a systemwide or statewide basis.

The junior colleges in the sample generally were characterized by administrative dominance or administrative primacy, although there was evidence of increasing consultation with the faculty. The emerging universities largely fell in the zone of administrative primacy, but a few had made the transition to a situation of shared authority. On the other hand, the older state colleges, the multiuniversities, and some of the private institutions were more likely to be characterized by shared authority or faculty primacy.

Finally, the field investigations reveal some tendency for institutions to move along the continuum toward increased faculty participation, at least until the institution enters the zone of shared authority. The movement may be slow and piecemeal, or, when triggered by a crisis, it may be abrupt. It would be inaccurate, however, to assume that there is an inevitable progression governing the distribution of authority. Individual institutions can skip a zone, can revert to a state of expanded administrative authority, or can settle into a fixed pattern short of shared authority.

THE DIVISION OF FUNCTIONS AND DISTRIBUTION OF AUTHORITY

The model presented above describes the available choices for structuring faculty-administration relationships. The zone in the continuum preferred for any issue or group of issues should reflect an assessment of the functions of the faculty and the administration. Accordingly, faculty and administration roles must be examined to help determine the allocation of authority that will enhance most effectively the quality and performance of institutions of higher education.

The Role of the Administration

Administrators have a vital role to play in the operation of institutions of higher education, as in all large-scale organizations. This does not imply, however, that all decision-making authority should be lodged in the hands of the administration. The role of administrators can best be delineated by identifying those tasks for which administrators appear to have a functional advantage in the context of institutions of higher education.

First, and fundamentally, the administration can provide overall leadership. A college or university combines the interests and efforts of a diverse constituency, including faculty members from a wide array of specialized disciplines, students, alumni, and the public. The administration must achieve a commitment by these groups to the general objectives of the institution and the methods by which these objectives can best be achieved, while at the same time affording specific groups and individuals opportunities to pursue their own goals. Thus, leadership paradoxically must give direction to organized efforts to enlarge individual autonomy and competence.

Second, the administration is in an advantageous position to promote the coordination of the activities of the component parts of the institution. Because top-level administrators are responsible for the operation of the entire institution, they should have detailed knowledge of the different departments and divisions. Consequently, they can help avoid duplication of effort and insure that the institution moves toward its stated goals efficiently. Such coordination is an important consideration in the development of curricula, the recruitment and utilization of faculty, and the allocation of limited resources, among other matters. In addition, the administration can be sensitive to the need for facilities that serve many constituent units such as libraries, laboratories, and computers.

Third, the administration has an important role in planning and innovation. It can suggest new programs or changes in the mission of the institution and help to establish a timetable for these changes. Because the administration presumably has a broad view of the institution as well as of developments elsewhere on the educational scene, it can propose answers to such fundamental questions as the size of the institution, the relative emphasis on teaching and research, and the importance of graduate versus undergraduate education. These planning and innovation functions are especially important in multicampus systems, where there is a degree of specialization among the programs carried out by the different units.

Fourth, the administration can help to assure that particular departments or divisions meet the general quality standards of the institution. The administration can identify weak departments and mobilize faculty support for a remedial program to bring the performance of such departments up to the standards of the institution. In the absence of administrative scrutiny, an individual department's deficiencies may escape the attention of other faculty members who are concerned with their own areas of specialization. Moreover, the faculty of a weak department may not be the best judge of its own shortcomings.

Fifth, the administration can serve as a mediator or buffer between the board of trustees and the faculty. This function may arise when the two groups hold divergent opinions on such issues as the scope of academic freedom and the mission of the institution. Under these circumstances, the administration can educate each party to the needs and views of the other and develop a common framework for decision-making.

Last, the administration clearly has a major responsibility for carrying out the functions of business management. When a new building is planned, it is foolhardy to believe that faculty members can handle the financial and legal problems associated with the actual construction between lectures or trips to the laboratory. The principle of academic freedom does not carry an exemption from the demands of time or the basic requirements of sound fiscal management.

The Role of the Faculty

The assignment of a comprehensive set of functions to the administration does not preclude the exercise of effective influence by the faculty. Indeed, the faculty can make a constructive contribution to almost all of the areas designated above. The particular contribution of the faculty may be related to the nature of the "product" of institutions of education, the role of the faculty as members of a profession, and the nature of higher education in an advanced industrialized society.

The nature of the product of higher education. Institutions of higher education are dedicated to the discovery and communication of knowledge. Although various elements of support can be provided by the administration, the basic productive activities are carried out by the faculty, alone or in concert with the students. The product cannot be specified in advance by superiors. Rather, it results from the intellectual and pedagogical capacities of faculty members and the quality of their relationships with students and colleagues.

The nature of the product of institutions of higher education has several direct implications for academic governance. Clearly, the faculty should have wide discretion in the conduct of its professional activities. Academic freedom is not a shibboleth to protect the eccentric or the unorthodox; among other things, it is a requirement for high-level intellectual performance. The governance of institutions of higher education cannot adhere to traditional management concepts of superior-subordinate relationships. Instead, the system of governance should enhance the personal autonomy necessary for maximum intellectual productivity.

To be sure, every organization requires some policies and standardized procedures. In every institution there are a variety of decisions to be made: courses and curricula must be developed, classes must be staffed, and standards of performance must be established for administrators, faculty members, and students. *Ad hoc* decisions on every issue are undesirable and impossible; policies and standardized rules are necessary and inevitable. The faculty, however, can still bring substantial competence to the formulation of policies and procedures. Indeed, in view of the nature of the product of colleges and universities, it would be foolhardy to deny or ignore the potential contribution of the faculty to the decision-making process. If the administration enjoys an advantage derived from its broad perspective on the over-all operations, the faculty commands respect because of its special understanding of the fundamental activities of the institution—teaching and research. Many administrators are former full-time faculty members, but the demands of their new positions frequently cause them to lose contact with scholarly activity in their field. In addition, the emergence of the professional administrator who lacks extensive experience in teaching or research is a significant development, especially in junior colleges and the emerging institutions.

The special knowledge and competence of the faculty can make a constructive contribution to a variety of issues. The content of curricula and particular courses should reflect the professional judgments of the faculty. The faculty can help to assess the relative contribution that a new library, laboratory, or stadium will make to the performance of the institution. And from its unique vantage point, the faculty can predict the probable effect of a change in admissions policy on classroom instruction. The opinions of the faculty will rarely be unanimous because particular policies will have a variable impact on teaching or research in different parts of the institution. The anticipated lack of unanimity, however, makes it all the more important that the administration consult or share authority with the faculty in major policy areas.

The faculty as members of a profession. One of the fundamental tensions between the faculty and the administration springs from the dual role occupied by the faculty—as members of a profession and as employees. Most faculty members regard themselves as members of a profession. Nonetheless, in several important respects the status of professors differs from that of members of other learned professions. Lawyers and medical doctors, for example, are in professions that are largely self-governing. They establish their own criteria for admission to the trade and enforce their own standards of good practice. Moreover, lawyers and medical doctors traditionally have been self-employed and have dealt directly with their clients.

By contrast, a professor generally attains and preserves his professional status on the basis of hiring standards established by colleges and universities. In addition, faculty members normally can serve their clients only through an institutional intermediary. It would be misleading to assert that professors have no more control over the definition of their tasks than does a typical factory worker; the intrinsic aspects of teaching and research afford the professor greater discretion than most workers in society can enjoy. It is true, nonetheless, that a faculty member is in a position where any effort to achieve a high degree of self-regulation as a professional is limited or conditioned by his coincidental status as an employee.

The potential conflict between the employee role and the professional role has been recently accentuated by the increased importance of junior colleges and the proliferation of emerging universities. The faculties of many junior colleges have sought to improve their professional status and thus achieve an expanded role in campus governance. But many junior colleges are tied to a secondary school system of administration in which the concepts of professionalism are underdeveloped or nonexistent. Coincidentally, tensions have been generated in the emerging universities by the rapid growth and the increased complexity of the administrative hierarchy. Professionalism has been difficult to attain in these cases because decision-making has been removed from levels which permit the direct participation of the faculty. Moreover, growth has aggravated conventional problems rooted in the employee-employer relationship.

While any scheme of campus governance must be designed to deal with the faculty members' problems as employees, the professional role should be preeminent. Ultimately, faculty members must bear the main responsibility for determining their own standards of performance. Doctors and lawyers largely determine their own standards of performance because laymen would be hard-pressed to identify the factors that distinguish good from bad practice. Similarly, laymen or nonprofessionals have a limited ability to evaluate professors. The task of evaluating the competency of a faculty member's performance is rendered particularly difficult by the fact that many specialized disciplines are involved. We do not suggest that students or administrators are totally incapable of passing judgment on a faculty member's performance, any more than we would suggest that laymen have no role in regulating the activities of doctors or lawyers. Nonetheless, superior judgment usually will be forthcoming from those persons with the necessary training and experience. Accordingly, the major responsibility for setting standards and evaluating over-all professional performance should be a matter for faculty control.

The functions of higher education. In examining the role of the faculty in campus governance, we have thus far focused our discussion on factors related directly to the functions and technical competence of the faculty. This parochial view should be augmented by a broader consideration encompassing the orientation of higher education in general in the United States. At present, there are two basic concepts of the purpose of higher education. To some extent, these concepts are competitive. Because faculty members are informed participants in the process of higher education, the nature of faculty involvement in campus governance is likely to have an impact on the extent to which these alternatives are effectively evaluated and implemented.

The first, the human resources approach, views higher education as a means to improve the economic status of individuals and to promote economic growth for society as a whole. The second, the liberal education approach, sees the purpose of higher education as the development of a critical intelligence which is applied to all aspects of individual and social behavior.

For many purposes these two views are complementary. There are some issues, however, which would be resolved differently depending on which of these two views was adopted. Thus, when determining the proportion of society's resources that should be devoted to higher education, the human resources view will emphasize the aggregate economic gains from the "investment" in "human capital." On the other hand, the liberal education approach may support an allocation of resources based on noneconomic factors, such as the desire to improve society's capacity for self-government.

One of the most difficult tasks in higher education is the determination of the proper mix of the human resources and liberal education views. The problem is particularly acute among the junior colleges, many of which are shifting from a vocational education approach to a comprehensive orientation. We believe that intelligent decisions on this question require substantial faculty participation in the decision-making process. The professional expertise of the faculty dictates that its view should be given considerable weight in determining the desirable mix.

The issue of the human resources versus the liberal education views is seldom determined explicitly at the campuswide level. Instead, an institution's orientation is likely to be the cumulative consequence of many lesser decisions. Because the faculty is continually concerned with teaching and research, it is in a position to assess the implications of limited decisions on curricula and related matters for the broader question of the basic functions of the institution. Other, more Olympian groups, such as the board of trustees, cannot reasonably be expected to have the same sensitivity to, or control over, the consequences of minor changes in emphasis.

The Case for Shared Authority

In selecting a model of academic governance, the overwhelming consideration should be the desire to improve the performance of the institution and not the preservation of a rigid division of authority between the faculty and the administration. We believe that the use of this standard and an appreciation of the essential functions of the faculty and the administration will support the judgment that the concept of shared authority should underlie an effective system of academic governance.

Clearly, the nature of the "product" of institutions of higher education and the special competence of the faculty establish a valid claim to faculty participation in major areas of campus decision-making. In addition, the fact that individual decisions cumulatively will determine the relative emphasis on the human resources and liberal arts views of higher education gives a wider significance to the need for faculty participation in academic governance.

There is no reason to believe that the sharing of authority with the faculty will inhibit the administration in carrying out its central functions of leadership, coordination, planning, and innovation. To the contrary, the sharing of authority with the faculty should improve the quality of administration by assuring that other expert views are introduced into the decision-making process and that those who are charged with the implementation of the decisions will support them. Regardless of the formal arrangements of authority, the faculty, by virtue of its role in the educational process, will always have an important impact on the policies and operation of institutions of higher education. Thus, the relevant task is not to affirm or to deny the faculty's ability to participate in decision-making, but to develop procedures that will promote the most constructive exercise of this influence. This objective can best be achieved by sharing authority at an early stage of decision-making rather than by relegating the faculty to a position in which it must react to the prescriptions of the administration. Obstructive behavior is an inefficient method for the exercise of faculty influence.

It is important that the governance of an academic institution should not be viewed as a competitive process in which the augmentation of the influence of one party automatically diminishes the influence of other parties. In fact, faculty-administration authority relationships may be complementary in the sense that one party's full participation in campus governance may actually strengthen the effectiveness of the other. Through cooperation, both parties may be able to achieve their goals more fully than would be possible through antagonistic competition.

To be sure, the problems of developing a system of governance based on the concept of shared authority are rendered more difficult because of the faculty's dual role. Because they are professionals, faculty members seek to attain the rights of self-regulation exercised by other professionals; however, because they are also employees, the delegation of authority to the faculty complicates, if not undermines, the formal employee-employer relationship. This duality does not present an insuperable obstacle to the attainment of a condition of shared authority but it does mean that in most institutions testaments of good faith will not be sufficient to dissipate the tensions between collegial and employee-employer relationships and that conscious efforts will be necessary to reconcile these two roles.

One additional comment is in order concerning the application of the concept of shared authority. Endorsement of this concept does not mean that authority should be shared equally between the faculty and the administration on all issues. On some issues, such as grades and the content of particular courses, faculty views should prevail. On other issues, such as those associated with the business management of the institution, the administration should play the preeminent role. However, on a wide range of educational and economic questions decision-making should be a joint process. Shared authority is thus a modal concept which establishes the right of faculty participation while recognizing that in some substantive areas one party or the other may assume the major burden of decision-making.

SUPPORTING PRINCIPLES

In order to make our recommendation of shared authority meaningful, several general supporting conditions are necessary. These conditions are spelled out below and underlie our specific prescriptions in subsequent chapters.

Faculty participation in campus decision-making requires formal arrangements through which faculty influence may be exercised.

Implementation of shared authority requires that faculty members have the opportunity to choose whatever scheme they deem appropriate to formulate their own views and present them to the other parties involved in the decision-making process.

As a corollary to the first principle, every faculty member has a right to join, without fear of reprisal, any organization or association concerned with faculty representation. While this right has broad moral justification, it is also supported by the commitment of institutions of higher education to concepts of personal and academic freedom.

Faculty members should have an effective means of presenting their views to any agency with the authority to make decisions affecting the institution of higher education. The development of new patterns of administration and coordination of higher education raises problems of faculty representation which require new and imaginative solutions. Although the problems can arise in private institutions, the most common manifestation is in the public sector where new devices such as statewide educational coordinating boards have been widely established. The same considerations that justify faculty representation generally dictate that faculty influence be exercised at these higher levels of decision-making.

The faculty should have a voice in determining the public policies of the institution in order to insure that these policies are designed to maintain and promote public understanding of the mission of the university. The university must seek to create and enlarge public understanding of the importance of higher education to a free society. This requires that, in the development of the institution's public posture, faculty views on the nature of the academic enterprise be effectively communicated to the general public and to the special publics on which the institution relies for financial support.

Relationships between the faculty and academic administrators should be, to the greatest feasible extent, collegial rather than hierarchial. Faculty members constitute a profession and, as professionals, should have wide discretion in defining their tasks and standards. Excellence in professional performance cannot be imposed from above. It follows that administrators should be selected in ways that insure that they have the confidence of the faculty, because the establishment of a conflict-ridden hierarchial relationship can only inhibit the attainment of academic excellence.

Personnel policy and practices should be designed to maximize professional freedom and opportunities for professional growth. The faculty has the primary responsibility in determining and protecting standards of professional conduct and competence in teaching and research. This responsibility should be incorporated in the procedures established for formulating policy and making decisions in such areas as appointments, tenure, promotion, and dismissal. Moreover, the critical importance of intellectual independence in academic activities dictates that personnel policies should protect individual difference in philosophical orientation and pedagogical methods. For this reason, tenure should be recognized as a vital element of the principle of academic freedom and, in cases of dismissal for cause, the AAUP principles of academic due process should apply.

4

Issues, Institutions, and Decision-Making

We have argued that effective faculty influence in the governance of institutions of higher education should be based on the concept of shared authority. Before considering the forms and procedures for faculty representation, however, three additional factors must be taken into account. First, the nature and scope of the issues which legitimately concern the faculty must be identified. Second, the types of institutions in which these issues may arise must be considered. Third, the organizational structure of the particular institution and the level at which particular issues are handled must be taken into account. These three considerations impinge upon one another, but for analytical purposes they may be examined separately. Together, they help to define both the scope and the problems of faculty involvement in campus government.

THE SUBSTANTIVE ISSUES

Because faculty members are both professionals and employees, their interests span a wide range of substantive issues. The resolution of these issues will determine the role of the institution and the status and opportunities of the individual faculty members. In this respect, five broad categories of issues are the legitimate concern of the faculty.

Educational and Administrative Policies

Because educational policy and administration are closely interrelated, they must be considered together. Administrative procedures determine the process by which educational policies are implemented. The fundamental question here concerns the involvement of the faculty in shaping the policies by which the mission of the institution is defined and carried out.

Ideally, the college or university is an educational community devoted to the pursuit and communication of knowledge through research and teaching. In the most fundamental sense, the university is the faculty. Thus, the faculty voice should be the major voice in the formulation of educational policies and the manner in which they are implemented. Such policies include admissions standards, the content of curricula, degree requirements, grading standards, standards for academic freedom, standards for student conduct and discipline, and procedures for the appointment of department chairmen, deans, and the president.

The field studies reveal that the interest of the faculty in these matters is substantial. In several junior colleges, for example, the faculty demonstrated concern over the relative emphasis to be given to academic and vocational programs. In various cases, sharp dissatisfaction was expressed over the procedures used for the selection of deans and other executive officers. At a private university, the faculty resisted the establishment of an elaborate graduate program because of the conviction that the institution lacked the resources to assume this responsibility and maintain the necessary high standards. In another case the faculty was dissatisfied with the extent of administrative support for research activities. This evidence of faculty interest in educational policy and administration does not mean that faculty desires, if they can be defined, should always prevail. The fundamental concepts of professionalism cannot be sustained, however, without substantial faculty influence in the process of policy formulation.

Personnel Administration

This category encompasses appointments, promotion and tenure, course assignments, work schedules, work loads, the allocation of office space, secretarial help and other perquisites, and procedures for the handling of complaints or grievances. These matters affect the functions of the faculty member both as a professional and as an employee. On one hand, the faculty member cannot act as a professional if the rules which determine his behavior in the institutional setting do not afford him the degree of autonomy necessary for the productive exercise of professionalism. On the other hand, college professors, no less than workers in automobile and steel plants, have an interest in good working conditions and the equitable application of personnel standards.

Again, the case studies reveal the range of faculty concern in this area. In several institutions the lack of office space and secretarial help was so acute that many faculty members complained that they found it difficult to carry out their immediate job requirements, such as the preparation of teaching materials and consultation with students, let alone engage in scholarly activities. In several junior colleges, complete control of promotion decisions by the administration has given rise to allegations of favoritism. In more than one state college system, the faculty became particularly incensed when the administration, under pressure from outside sources, shifted from a semester to a quarterly academic calendar without giving adequate weight to faculty opinion and advice. Numerous other examples may be provided which underscore the fact that a professorial calling does not imply an ascetic insensitivity to elementary aspects of due process and good working conditions.

Economic Issues

The faculty member's interest in economic matters extends beyond self-interest. He is also directly concerned with the nature and quality of the educational services provided, as well as with his own remuneration.

Four types of economic issues may be distinguished.

(a) The faculty's stake in the extent to which the institution can attain its stated educational objectives means that the faculty has an interest in the total resources available to the institution. The furor in California in early 1967 arising from the proposed cut in the budget for higher education provides a dramatic example of the faculty's vital concern with this issue.

(b) The faculty is also sensitive to the allocation of available resources to major budgetary categories. The distribution of funds among faculty salaries, sabbaticals, new buildings, libraries, and stadia has an obvious impact on the nature of the institution's program as well as on faculty welfare.

(c) Faculty interest in economic issues becomes more specific when the allocation of the total amount set aside for salaries and fringe benefits to the various schools, departments, and ranks within the institution is considered. The classic form of this problem has been the distribution of funds for salaries among the various fields, such as the natural sciences and the humanities. In recent years acute difficulties have stemmed from differences in the salary levels of the various ranks. In some of the cases studied, the sharp increase in the size of the faculty has been accompanied by a relatively rapid increase in the salaries of the lower ranks. Consequently, there has been substantial discontent among senior faculty members who are less mobile and whose rate of salary increase has lagged. Conversely, there are situations in which large salary increases for the top professorial ranks have widened traditional differentials. In either case, the question of salary structure is of compelling importance.

(d) Most specifically, faculty members are concerned with the compensation for particular individuals. Here, the obvious problem is one of invidious interpersonal comparisons of ability and performance. Significantly, in a few of the institutions studied, the administration has sought to avert potential conflicts by delegating the determination of individual salaries to departmental committees. In others, fixed salary structures with automatic increments within rank shift the problem of interpersonal comparison to questions of the rank at the time of initial appointment and the rate of promotion.

Public Issues and the Institution

A fourth category of issues involves the role of the faculty in shaping the institution's policies on public questions that have a direct and important effect on its operation. This category is perhaps less obvious than the others, but recent developments have demonstrated the faculty's concern. A prime topical example centers on the increasing attention that has been given to the proper relationship between government agencies and institutions of higher education. In addition, in two of the institutions studied, major controversies developed over the question of bargaining with unions of nonacademic employees. These questions involve the image and functions of the institution and may also affect the role of the faculty.

Procedures for Faculty Representation

Beyond these particular substantive issues, the faculty obviously has a stake in the procedures established to represent its interests. Accordingly, faculty members should have the right to participate in the formulation of the "constitutional law" which defines the nature of their representation within the institution. The only restrictions should be those that flow from the charter of the institution, and even these are not necessarily immutable.

In many of the situations examined, the organizational forms and procedures for faculty representation have been determined by statute or administrative fiat and have been maintained by inertia and tradition. On several campuses, faculty dissatisfaction with existing arrangements has precipitated the formation of external organizations, such as professional associations or unions, in an effort to fill the void in representation. Clearly, the faculty will seek to obtain, in one manner or another, the form of representation which it feels is most appropriate to its needs and the issues under consideration. Controversy over this issue can be minimized by recognizing faculty interests when establishing the basic framework for representation.

AGGREGATE AND INDIVIDUAL ISSUES

Cutting across these five categories of issues which concern the faculty is a basic dichotomy. On one hand, there are those issues that affect the faculty as a whole. These include educational policy, the total resources available to the institution and their distribution for major purposes, the position of the institution on public questions, and the method of determining procedures for faculty representation. On the other hand, there are issues that have a special relevance for the individual faculty member. Such issues include specific tenure and promotion decisions, class assignments, individual faculty salaries, distribution of research funds, and handling of individual grievances. In developing effective methods for faculty representation, a distinction must be made between these aggregate and individual issues. For example, it is unlikely that the procedures used to define a faculty consensus on matters of broad educational policy can be employed with equal effectiveness to handle an individual grievance concerning class assignments or the magnitude of a salary increase. The implications of this distinction for the form and procedures for faculty representation will be explored in subsequent chapters.

TYPES OF INSTITUTIONS

Great diversity exists on the American educational scene. To a significant degree, the specific issues that become the focus of faculty attention are determined by the type of institution under consideration. The most obvious distinction is between private and public colleges or universities. It is apparent, for example, that the questions of resources available for faculty salaries will be subject to different considerations in public and private institutions.

The private institutions vary profoundly—sectarian or nonsectarian, large or small, rich or poor, research- or teaching-oriented. This very variety has caused the Task Force to shy away from any effort to generalize with respect to them. Moreover, since the major expansion in higher education has been in the public institutions, and since this trend is likely to continue in the future, this study has given primary attention to public institutions. Nonetheless, the various field studies indicate that the similarities between private and public institutions are greater than the differences, and that our recommendations will have considerable relevance for both.

The public institutions break down into three categories: junior or community colleges; emerging colleges and universities; and university centers. As indicated previously, the greatest ferment with respect to faculty representation across the country today is found in the first two categories.

THE LEVEL OF DECISION-MAKING

The problem of establishing and maintaining effective procedures for faculty representation is compounded by the fact that the locus of decision-making may be different for different issues. While this problem exists in all institutions, the problem is especially aggravated in the public, statewide systems. Here super boards, state budgetary agencies, and legislative mechanisms have been imposed on the traditional hierarchies. These developments are understandable in terms of the effort to rationalize the allocation of resources in state systems. Nevertheless, the emergence of this elaborate, bureaucratic superstructure poses difficult problems of faculty representation on technical grounds alone. In one large statewide system studied, the faculty generally enjoyed effective representation at the level of the individual institution, but local faculty-administration relations were vitiated by the fact that the faculty had inadequate access to higher levels of administration where crucial economic and policy issues were decided. Students of labor-management relations in private industry will find close parallels in the situation where the employees at a single plant of a multiplant corporation attempt to influence company policy. Conversely, in other systems, the development of systemwide organizations has increased faculty discontent on those campuses where procedures for representation were least effective by making the deficiencies more obvious.

The magnitude of the problem is illustrated by a delineation of the potential levels of decision-making in higher education: (1) the level of first-line supervision—the department chairman, or, in smaller institutions, the dean; (2) the second-line level—either the dean in schools which are departmentalized or the president of non-departmentalized institutions; (3) the third-line level in departmentalized institutions—the president and his staff (vice president for academic affairs, etc.); (4) the board of trustees; (5) the higher board which in some state systems governs or coordinates several units in the same system (such as the board for all of the state colleges, and the separate board for all of the campuses of the state university, in California); (6) the super board which may cap the entire state system; (7) the executive branch of the state government, including the state budgetary agency and the governor of the state; and (8) the state legislature. The actual structure of decision-making will vary widely among different public and private institutions.

As may be readily seen, the problems of developing a meaningful system of faculty representation in this framework of decision-making are formidable. Particular types of issues may be considered, if not decided, at a bewildering array of levels. An essential task in developing a system of faculty representation is to create a structure of representation that will relate the issues under consideration to the appropriate level of decision-making.

5

Organizations for Faculty Representation

Endorsement of the principle of faculty representation, by itself, will have little impact on campus governance and administration. To be effective, this statement of principle must be supported by the establishment of formal organizational arrangements designed to involve the faculty in decision-making in key substantive areas. As our field investigations have revealed, the broad assertion that a college or university is a "community of scholars" is not always an adequate safeguard against arbitrary administrators.

In many junior colleges, especially those that have developed from local systems of secondary education, the absence of recognized academic traditions has inhibited efforts to establish procedures for effective faculty representation. In some institutions with well-established academic traditions, the problem of devising or maintaining organizations for faculty representation has been complicated by the development of large, multicampus systems. The establishment of a formal organization provides no guarantee that effective faculty representation will develop; however, without such an organization the probability of attaining this goal will be sharply reduced.

TYPES OF FACULTY ORGANIZATIONS

A variety of organizational forms for faculty representation have emerged on college campuses in the United States. These forms reflect general historical factors, unique developments in particular situations, the activities of professional associations, and in some cases (as in the California junior colleges) statutory requirements. Three general types of organizations for faculty representation may be identified: internal representative bodies, external associations, and bargaining agencies. The types of organizations are distinguished by their relationship to the formal administration of the institution, their objectives, and their tactics. Although an attempt has been made to identify "pure" types here, it is important to note that particular organizations may assume different roles in different situations. Thus, on one campus a local affiliate of the National Education Association may act as an external association, while in another case an NEA affiliate may assume the role of a bargaining agency.

Internal Organizations

The most widespread vehicle for faculty participation in campus governance is the internal organization. The basic characteristic of the internal organization as a generic type is that it is an integral part of the formal structure of the institution. In practice, there are two general species: the committee system and the academic senate.

The committee system involves the establishment of a single committee or a set of standing committees comprised of faculty members from various parts of the institution. Where a single committee exists, it generally deals with a wide range of subjects and serves as a primary channel of communication between the faculty and the administration. In contrast, each of the standing committees usually has a specific substantive focus, such as curricula, personnel, or student affairs. Membership on the committees under either variant of the system may be through election by the faculty, selection by the administration, or a combination of the two approaches.

Because most of the institutions studied had large staffs with more than 200 faculty members, there were few instances in which the committee system was the dominant form of faculty representation. One emerging state university with a faculty of over 700 utilized this approach. A single seven-man committee spoke for the faculty in dealing with the administration. However, this university committee recently has come under attack on the grounds that it did not reflect the divergent interests of the faculty and, furthermore, was too timid in its relations with the administration. Consequently, plans have been confirmed to establish a broader academic senate. Exclusive reliance on the committee system for effective faculty representation is probably best suited to institutions with a small and relatively homogeneous faculty. In the large institutions the committees usually will be part of a more complex system of representation.

The academic senate may consist of a single, comprehensive assembly, which functions like a town meeting, or it may be a representative body. Both a comprehensive assembly and a representative body may be established in the same institution. In many cases the senate is comprised of all eligible faculty members, who then elect a council or some smaller body to transact the actual business. Again, the larger the faculty the greater the likelihood that the senate will be a representative body or will establish such a representative council.

The academic senate also may be "pure" or "mixed," in the sense that it is comprised of members of the faculty exclusively or also includes administrators on an *ex officio* basis. The general practice on the campuses studied is to have a "mixed" senate bringing together elected faculty representatives and top administrators. The faculty component of the senate may encompass all academic personnel or may be limited to persons in particular ranks. Both practices are widespread, but in a majority of the four-year institutions studied, membership is limited to ranks above instructor, and in some cases to faculty members with tenure.

The effectiveness of these internal organizations varies widely. In several of the institutions examined, the senate was moribund and was rarely convened. In other cases, particularly those involving junior colleges, a senate had been established only recently and its functions and authority were not clearly delineated or understood. At one institution the only specific function of the senate was to consult with the librarian about new acquisitions. Even where the senate was long-established and had considerable formal authority, it might have been a casualty of an arbitrary presiding officer selected from the ranks of the administration, of a limited agenda, or of bloc voting by the *ex officio* members.

These observations should not imply that in all cases the senate was an exercise in futility. Indeed, we encountered several situations in which it was a vigorous unit for decision-making in many basic policy areas, such as curricula and budget-setting. On three campuses visited, the senate had censured the administration for acts that were considered to be against the interests of the faculty or the institution. It is important to understand, however, that the formal establishment of an academic senate does not assure the implementation of the concept of shared authority.

External Associations

These associations, by definition, are those outside the framework of formal campus government. They do not have, nor do they seek, decision-making authority within the formal structure of the institution. Essentially they have acted as pressure groups vis-à-vis the administration.

The traditional form of external organization is the professional association. The most active national associations of faculty members have been the American Association of University Professors (AAUP), the National Education Association (NEA), and the American Association for Higher Education (AAHE), which is a largely autonomous affiliate of the NEA. The AAUP is found in all categories of institutions of higher education, but is strongest in the four-year colleges and universities. The NEA and its state affiliates have been used as a vehicle for faculty organization in some junior colleges, especially those that are part of a public system which includes secondary education. The latter associations also have been active in a few universities that developed from teachers colleges.

The national associations generally focus on broad professional standards and practices, but they also have represented their membership in particular campus situations. For the greater part, local representation has focused on questions of academic freedom and tenure and on salaries. In one large Eastern university the salary committee of the local chapter of the AAUP has made formal presentations each year to the central administration and has backed its petitions with an annual "salary rally" of the faculty. In a more conventional case, vigorous protests from a local AAUP chapter thwarted efforts to ban a book from an English class in a Midwestern junior college. This case was noteworthy because the AAUP chapter was otherwise inactive on that campus.

Beyond a concern with academic freedom and salaries, the campus studies showed no systematic pattern of involvement by professional associations in the administration of individual institutions. Some chapters aggressively represented their members' interests in the senate and by direct communication with the administration, while others appeared to limit themselves to social or ceremonial functions. It is significant to note that few faculty members in junior colleges looked to the AAUP or other national professional associations for help and guidance. On the contrary, many junior college faculty members who were interviewed believed that the AAUP views them as second class citizens and does not sympathize with their problems and objectives. Regardless of the validity of this belief, the potential effectiveness of that association has been reduced in providing leadership to junior college faculties.

In addition to the national professional associations, organizations specifically designed to provide faculty representation have been established at individual institutions and on a systemwide basis. In many of the junior colleges studied there is a faculty association or its equivalent. Characteristically, these associations (which may be called "senates") were founded by the faculty to represent its interests and to provide a channel of communication with the administration. They may deal with a wide range of issues including educational policies, economic benefits, and personnel administration. The more aggressive associations have formulated recommendations concerning work loads, class assignments, and salaries. In a few cases studied, the associations were tacitly recognized by the administration and entered into informal negotiations over salary schedules and related matters.

Developments parallel to those in the junior college have taken place in other institutional settings. In one case, the faculty members at all the colleges in a statewide system have formed an independent association. This association has chapters on each campus and has made presentations to the board of trustees of the system and to agencies of the state government. A statewide organization of professors in all public institutions also has been established in a Southwestern state and has carried out an extensive comparative survey of procedures for faculty representation on the various campuses. In another multicampus situation, many faculty members of a large municipal university have supported a "Legislative Conference" to lobby before the governing board and other governmental units for desired changes in salaries and fringe benefits.

Professorial unions on some campuses constitute another variety of external organization for faculty representation. On a number of the campuses, local unions of the American Federation of Teachers enjoyed the allegiance of some of the faculty members. Although the incidence of unionism among professors appears to be the greatest in the junior colleges, AFT locals may be found in large public universities, state colleges, and private universities. The strength of these units varies from a few that have enlisted a majority of the faculty to others that have only a small minority of the potential membership on the campus. Most of the local unions fall in the latter category.

Until recently, teacher unionism had generally been limited to primary and secondary education. Even though the number of active local unions on campuses is small in terms of the total population of colleges and universities, this development has excited considerable interest, if not alarm, in some quarters. The field investigations indicate, however, that an important distinction should be made among local affiliates of the AFT. A few local unions comprised of college faculty members have adopted the traditional tactics and objectives of trade unionism. On the other hand, most of the local affiliates encountered were similar in outlook and function to the independent faculty organizations or the professional associations. They were interested primarily in improving the professional status of the faculty and at present eschewed the concept of collective bargaining or the use of trade union sanctions such as the strike.

In most instances, the major distinction between AFT local unions and the other professional organizations was the degree of militance exercised in pursuing the objective of effective faculty representation. For the greater part, the union adherents were those faculty members who were sharply dissatisfied with the internal mechanisms for communicating with the administration, or the inactivity of the other external alternatives. In the short run, at least, the objective of these campus unions has been to put pressure on the senate, the administration, and the more conservative faculty associations. Indeed, many of the unionists are reported to have retained a continued commitment to established notions of faculty-administration relations and their membership in other associations committed to these notions.

Many of these external faculty organizations are relatively new, and often several may be found on a single campus. Regardless of the particular form or affiliation, the emergence of external associations appears to reflect, in part, the deficiencies in existing internal arrangements for faculty representation. As organizations outside of the formal structure of campus governance, they seek to bring some version of a faculty point of view to the attention of the administration by creating new lines of communication or sources of pressure.

Bargaining Agencies

A third and still relatively rare form of faculty organization is the bargaining agency. Bargaining agencies seek to enter into formal negotiations with the administration of the college or university. Initially, the scope of negotiations is limited to the question of recognition, economic benefits, and conditions of employment, but discussions may ultimately encompass questions of educational policy. The end product of the negotiations will often be a written agreement. The conduct of negotiations by a bargaining agency implicitly assumes an adversary relationship between the faculty and the administration, and may involve the exercise of power by either side. Unlike the external associations, the bargaining agency seeks to participate directly in the decision-making process.

Both unions and professional associations have acted as formal bargaining agents. By early 1967, AFT locals were known to have obtained bargaining rights for the faculties of at least seven institutions. These included six junior colleges and one four-year college. In addition, affiliates of state chapters of the NEA have gained bargaining rights for the faculty at eight junior colleges. Collective bargaining agreements are known to be in effect on seven junior college campuses, four under the auspices of the AFT and three involving the NEA.

Because faculty members at public institutions are government employees, special legal barriers often must be overcome before professional unions or associations can gain bargaining rights. Current changes pending in state laws governing collective bargaining by government employees may be expected to facilitate the certification of bargaining agents on the campus in the future. Indeed, the New York legislature has enacted a statute, which took effect September 1, 1967, granting bargaining rights to public employees, including college and university personnel.

A quasi-bargaining arrangement that has been established outside a union-management relationship is the negotiating council. To date, this development is limited to the junior college system in California. Under the terms of the Winton Act, passed in 1965, all matters involving the welfare of public school employees may be dealt with by designated negotiating councils. Each council is comprised of the representatives of any voluntary organization of employees that might file for a seat. The council has a maximum membership of nine representatives. If more than one organization files for representation, the seats are distributed on a proportional basis. The negotiating councils have the right to "meet and confer" with local boards of education or their representatives on a wide variety of issues. At the junior college level, the discussions conducted through the councils generally have been concerned with faculty salaries. Other issues on the same campus may be considered by an academic senate. The relationships between the councils and the senates have not been clarified, however, and there are still areas of overlap or ambiguity.

PRESCRIPTIONS FOR FACULTY ORGANIZATION

From this array of alternative forms, the Task Force has a clear preference for the development of effective internal organizations as the primary instrument of faculty participation in campus governance. In most cases this will mean the academic senate or its equivalent. The senate can best combine the elements necessary to promote effective faculty representation in a college or university context. It occupies a formal position within the structure of decision-making in the institution. It can reflect the particular professional values and standards of the faculty in each campus situation. It can encompass all segments of the local academic community without consideration of formal membership or dues-paying status. And it can help to structure faculty representation in a framework of shared authority with the administration rather than one of explicit adversary relationships.

This preference for the academic senate does not mean that the other organizations will be redundant. The external associations may complement the functions of the senate. It also must be recognized that in some cases bargaining agencies may displace, or coexist with, internal organizations. Thus no matter which of the particular organizational forms the faculty selects, it is important to identify the characteristics and conditions required for the effective operation of each.

Requirements for the Academic Senate

The mere establishment of an organization identified as an academic senate will not be sufficient to attain effective representation. Our field investigations indicate that to move toward this objective, several requirements relating to the structure and operation of the senate should be met:

1. Ideally, the membership of the senate should be "mixed." That is, it should be comprised of elected representatives of the faculty and of designated members of the administration sitting on an *ex officio* basis. A "mixed" senate will facilitate the exchange of information

and opinions between the faculty and administration. It will create a structure in which there is the expectation that administration plans will be brought to the faculty for prior consultation and discussion. In a "mixed" senate, as contrasted to a "pure" faculty organization, there is less likelihood that the administration and the faculty will develop hardened positions, insulated from the rational arguments of the other side. Moreover, a senate with membership from the faculty and the administration gives formal recognition to the principle of shared authority.

The potentialities of the "mixed" senate can be realized only when two basic conditions are satisfied. First, the senate should have policy-making authority over important issues such as the development of new programs and curricula, the standards for promotion and tenure, and the allocation of resources to major budgetary categories. If it has no policy-making authority, the "mixed" senate may become a passive channel of communication, or simply a device to elicit faculty support for policies the administration has already formulated.

Second, a conscious effort must be made to prevent domination of the senate by administrative officials. In several cases studied there was substantial evidence of such domination. This possibility can be sharply reduced by incorporating several safeguards in the constitution and rules of the senate. The representation of the administration should be limited to the top officials such as the president, the academic vice president, the comptroller, and the deans of the various schools. The size of the senate should be sufficient to insure a substantial majority of faculty membership. The president and other officers of the senate should be faculty members, or at least elected by the senate as a whole. Finally, the senate should have the right to determine its own rules and agenda. Although the senate should promote mutual discussion and respect between faculty and administration, it must essentially and continually serve as an instrument for the formulation and expression of faculty points of view.

2. Notwithstanding the safeguards noted above, there may be cases when a "pure" senate, comprised of faculty members exclusively, is preferable. In those situations in which faculty members lack a tradition of active participation in the affairs of the institution, or in which there has been a history of centralized, if not arbitrary, administration, it is unlikely that a "mixed" senate can serve immediately as a form for the free expression of faculty opinion. Under these circumstances, a "pure" senate may be necessary to develop an independent role for the faculty in the government of the institution. However, this "pure" senate should be viewed as a transitional stage to a "mixed" organization with policy-making power where faculty members and the administration can interact from a base of professional parity. Indeed, in several cases studied, the senate has progressed through the first stage to the second.

3. All faculty of full-time academic status through the level of departmental chairman should be eligible for membership in the senate. If a representative senate has been established, all full-time faculty members should have the right to elect or to serve as representatives. Membership in the senate or participation in the selection of representatives should not be granted or denied on the basis of tenure status. Particularly in many new or rapidly growing institutions, nontenured persons may constitute a large proportion of the faculty, and the denial of membership to this group would severely reduce the senate's representative character. Under any circumstances, the acquisition of tenure should not be equated with professional status, and disenfranchisement from the deliberations of the senate should not be condoned on this basis.

Part-time teaching personnel, such as instructors in an evening division and graduate assistants, present more difficult problems. Although these persons usually have a more transient relationship to the institution than the full-time faculty, they have some interest and stake in the institution; and ideally some provision should be made for the expression and consideration of their views. The specific form of this representation should be decided on the basis of the circumstances in each institution.

4. No rigid rules can be prescribed governing the structure of the academic senate. In small institutions the senate may convene on a plenary basis, including all faculty members. In large institutions with sizable faculties a representative body or some form of executive council probably will be appropriate. Where a representative structure is developed, some provision should be made to insure the expression of the interests of different departments or divisions. In any case, the total faculty should have the power to review or influence the actions of the senate through various procedures such as the initiative and the referendum.

5. Whether the senate is organized on a plenary or on a representative basis, provision should be made for the establishment of committees to deal with specific substantive areas. The committees should study the particular problems and issues in their jurisdiction and make recommendations to the senate for action. The division of the substantive responsibilities of the different committees obviously will vary from case to case. Suffice it to note that the formation of a committee on parking will not satisfy the requirement that the committees deal with important policy areas. More significantly, many senates have established standing committees that focus on academic programs and curricula, personnel policies, academic freedom, student affairs, and in some cases, budget.

6. In the case of multicampus systems, the structure of the senate should parallel the administrative organization of the system. Thus there should be a systemwide senate bringing together representatives

from the different units. Where such a development has taken place, the systemwide senate usually has been composed of delegates from the local senates, or representatives elected at large by the faculty at the individual campuses. In situations involving a comprehensive state system of higher education the problem is compounded by the fact that there often are different levels of institutions ranging from the junior colleges to state colleges and universities. Because the problems and perspectives of these units may differ significantly, a strong case can be made that each level should have its own systemwide senate. Under these circumstances a supplementary unit would be necessary to coordinate the activities and policies of the systemwide senates. In addition, this arrangement would provide a forum for dealing with differences of opinion or conflicts among the faculties of the institutions at the different levels of the comprehensive state system.

Although the basic unit for faculty representation on the individual campus will be the academic senate, the need for an extended structure of faculty representation in complex public systems of higher education cannot be overstated. Clearly, one of the major causes of faculty discontent has been the emergence of a hierarchy of boards and super boards which has moved the locus of decision-making away from the campus and the individual professor, and which has set the stage for invidious competition among faculty groups in the over-all system.

7. Smaller units of representation are desirable at the divisional and departmental levels. This elaboration of the structure downward from the senate is especially important in large institutions with diverse faculty groups. The divisional or departmental units can serve two major purposes. First, they can provide a mechanism for determining the special interests and grass-roots opinions of relatively homogeneous groups of faculty members. These opinions can then be transmitted to the comprehensive faculty body by the divisional or departmental representative. Second, the smaller units can consider issues which are relevant only for the particular faculty groups. In this way, the deliberations of the senate can be reserved for questions that are important for the faculty and the institution as a whole.

8. Representatives of the senate should have direct access to the board of trustees, or the top governing body of the institution. Various methods may be employed depending on the circumstances. A joint faculty-trustees committee may be established and may meet at periodic intervals. Senate representatives may attend meetings of the board of trustees to observe, to make direct presentations to the board, or to participate fully in the discussions. Or a visiting committee of the board may consult on the campus with the officers of the senate and other faculty members.

By maintaining active communication links between the faculty and the board, each group can benefit from the other's views or access to special information. Without these formal links, the president may interpose himself between the faculty and the board for capricious reasons. Such a situation has fostered planned leaks, irate letters to the newspapers, and other less constructive forms of communication.

9. As an integral part of the institution's government, the senate should receive sufficient material support to permit it to carry out its functions in a satisfactory manner. This support should include office space, secretarial help, and, where appropriate, travel expenses and released time for senate officers.

Requirements for the External Associations

When an academic senate does an effective job of representing faculty interests, the need for external associations probably will be reduced. Nonetheless, several considerations assure the continued importance of the external organizations in a comprehensive picture of faculty representation. In the absence of any internal organization, the external associations may be the only avenue available for coordinating the interests and points of view of different segments of the faculty. Even if a senate or some analogous body has been established, the external association may provide valuable technical services and counsel. And most important, they can act as a watchdog over the operations of the senate, criticizing it when it fails to act, seems unduly susceptible to pressure from the administration, or so loses touch with its constituency as to be unable to assure faculty acceptance of the senate's decisions.

Of the various external organizations, the national professional associations probably have the greatest potential for assuming the various roles indicated above. They enjoy considerable prestige, have substantial resources, and are familiar with the practices and problems in a variety of institutions in different parts of the country. The case studies indicate, however, that the national professional associations generally have failed to realize their potential in the area. While they may be moved to action by a *cause célèbre*, there is little evidence that they have become involved with the less dramatic but equally difficult problems of developing effective faculty representation on a continuous basis.

In order to have a greater impact, the national associations should develop arrangements for extending service and support on a regular basis to local chapters. There is ample evidence in the case studies to indicate that broad policy pronouncements from national headquarters and *ad hoc* committees are inadequate to cope with the problems of faculty representation in an environment of rapid growth and change. Instead, full-time professional staff working out of regional offices probably will be necessary to do an effective job on the campus. The specific arrangements obviously will vary widely, and we do not presume to instruct the national associations. But the crucial requirement is for improved services to local membership.

Another difficulty that may impair the effectiveness of the external association on the campus is excessive competition among different organizations. Although some competition is desirable, this condition may result in sharp divisions among the faculty and the dissipation of energy in fruitless rivalry. The major problem, then, is to derive the benefits from diversity without incurring excessive costs. The most promising approach appears to be to channel the activities of these external organizations through the dominant academic senate mechanism. In some cases this is done already by virtue of the fact that these external organizations run avowed candidates or slates of candidates for positions in the senate and, to some extent, behave like political parties.

An alternative approach that might be explored on an experimental basis is to provide these external organizations with representation *as such* in the senate. In this manner, an external organization that is certified to have a prescribed proportion of the faculty as members (for example, 20 percent) might be given a seat with full floor and voting rights. The system of representation should be structured so that the total number of possible organizational delegates will be a small minority of the senate's membership. This arrangement would draw the external organizations directly into the deliberations of the senate without restricting their capacity for criticism. Such an approach may be attacked on the grounds that it injects an element of "politics" into the operation of the senate. Academic senates, however, like other representative assemblies, are intrinsically political. Moreover, when the external organizations are given the opportunity to share in the responsibilities of decision-making, campus politics may be elevated above personality clashes to debates over differences in the programs proposed by the faculty representatives with different organizational affiliations.

Requirements for Bargaining Relationships

Many commentators on the educational scene regard the formation of bargaining agencies as distasteful or inappropriate. They contend that unions or other bargaining agencies are in basic conflict with the professional values of the academic person. This contention may be correct in practice as well as theory, but it should not *a priori* preclude a majority of faculty members' designating an organization as their bargaining agent. Like other employees, professional or nonprofessional, faculty members should have the right to select organizations of their own choosing. Rather than falling back on the rhetoric of professionalism, a more perceptive view of the emergence of bargaining agencies on the campus is that they provide dramatic evidence of the institution's failure to develop satisfactory alternatives for faculty representation. If educators look with alarm at the emergence of faculty unions and seek to forestall this development, they are well-advised to look to the causal factors. In any case, convictions concerning the desirability of bargaining relationships should not divert attention from the basic problems that arise when a bargaining agency arrives on the campus.

First, if a group of employees seeks to establish an organization as "the exclusive bargaining agent," a dispute may develop over whether, in fact, it represents a majority of the employees in the institution. Moreover, even though the organization presents evidence of a majority status, the employer may refuse to recognize and bargain with the designated agent. Until the passage of the National Labor Relations Act of 1935, these issues of recognition were the source of continuing conflict in private industrial enterprise and often resulted in bitter strikes. Under the terms of the NLRA, such controversies are largely avoided by the implementation of election procedures to determine if a union has gained the support of a majority of employees in the unit. Once the union is certified as the representative of the majority of the employees, the employer must "bargain in good faith."

Most institutions of higher education are exempted from the terms of the National Labor Relations Act. This exemption, however, does not relieve universities of the problems associated with recognition of a majority bargaining agent. A few states recently have enacted statutes which generally apply to public employees the election and recognition provisions found in the national labor law. As government employees, faculty members in public institutions may be covered by these provisions. If the issue of bargaining status has been joined, regularized election and recognition procedures should be developed and applied to college campuses, public and private. In the absence of statutory requirements, the administration and the faculty should initiate private or *ad hoc* recognition procedures and abide by the results for purposes of recognizing and dealing with a bargaining agent. At least two strikes are known to have taken place in the last year over recognition of a bargaining agent. Thus there is some urgency in adopting standards of due process as a substitute for force in deciding this question.

Second, when an organization has gained the allegiance of a majority of the faculty, the question arises concerning the "exclusivity" of the bargaining agent. Should the majority organization represent everyone in that unit exclusively, thereby depriving all other organizations of any direct voice in the bargaining process? Under national labor relations law, the majority union becomes the "exclusive bargaining agent." The same policy should apply in cases arising on the college campus even though such institutions generally are exempt from national labor law.

If the principle underlying faculty representation is that of shared authority and mutuality of interest with the administration, independent access to the decision-making process may be preserved for all individuals and organizations. When a majority of the faculty has chosen one organization as its bargaining agent, however, it has elected to place primary reliance on power in its dealings with the administration. As over thirty years of experience in the industrial sector has indicated, exclusivity is an important precondition for the development of sound bargaining relationships. If there is multiple representation in a single unit, the bargaining position of any particular organization is likely to be severely reduced, and instability in the relationship is likely to result.

The designation of an exclusive bargaining agent is not irrevocable. If the agency loses its majority, the bargaining relationship can be terminated or a new representative can be selected. Moreover, exclusivity does not mean that all persons in the bargaining unit must join the organization holding representation rights. On the other hand, persons in the unit may be required to pay dues to the exclusive bargaining agent or otherwise help to defray the costs of representation.

This analysis of the different types of organizations for faculty representation is more than a formal exercise. First, the discussion has helped to distinguish the available alternatives for faculty members who seek a structural base for representation in campus governance. Second, each form of organization implies different tactics and functions. The selection of a particular type of organization, or combinations of organizations, can have a profound effect on the nature of faculty-administration relationships and, indirectly, on the development of institutions of higher education. These differences will be examined in subsequent chapters.

6

Alternative Approaches to Decision-Making

Whatever the structural form of faculty representation, differences of opinion may arise between the faculty and the administration. Therefore, techniques must be developed to resolve faculty-administration disputes when they occur. In general terms, there are three methods for reaching decisions in situations in which there is initial disagreement: (1) through the process of information-sharing and reason, (2) through the intervention of neutral third parties, and (3) through the pressure of sanctions. The first part of this chapter discusses the alternative methods of decision-making in faculty-administration relations. The last section offers judgments on the possible application of these decision-making techniques to disagreements involving particular campus issues.

METHODS OF DECISION-MAKING

Information-Sharing and Reason

The reliance on information-sharing and appeals to reason has substantial precedents on the campuses studied. Even at those institutions where the administration has retained formal authority, the faculty has often played an important role in shaping decisions by persuading the president or the board of trustees of the desirability of certain policies. In some cases, the faculty has altered administration opinions by pointing out the undesirable consequences of a given decision. For example, the faculty at one university persuaded the administration to rescind plans for an expanded graduate program because of the lack of adequate resources.

On many campuses, however, the faculty has neither stipulated authority over important issues nor a meaningful opportunity to discuss with the administration the wisdom of specific policies. On one campus, the faculty learned of the establishment of an off-campus degree-granting program only through newspaper reports of the board of trustees' meeting. On another campus, the state education agency often unilaterally rejected course outlines.

Reliance on persuasion is the predominant approach to decision-making where faculty-administration relations are based on the concept of shared authority. In many of the institutions studied, the academic senate includes both administrators and faculty. Important decisions are made after an exchange of relevant information and full discussion of various points of view. In those cases in which the faculty has primary authority over certain issues, reason still should be used to resolve intrafaculty disputes and to justify the resultant decisions to the administration. But not all men are always reasonable, and even reasonable men may have strong differences of opinion. The parties must then turn to other means to resolve disputes.

Neutral Third-Party Intervention

When an impasse between the faculty and the administration threatens, the parties may enlist the assistance of a neutral third party. The most common form of neutral intervention is conciliation and mediation. Here the third party works with and between the disputants to transmit alternative proposals or to suggest possible solutions. In higher education, the professional organizations often play this role in the investigation of academic freedom cases. In some situations an accrediting agency also may serve as a neutral third party in helping to resolve faculty-administration disputes.

Other forms of third-party intervention are common in the industrial sector but have been rarely used in the field of higher education. These methods are quasijudicial in nature and may include fact-finding (with or without recommendations for resolution of the dispute), advisory arbitration, and binding arbitration. Fact-finding involves the investigation of a dispute by a panel of neutrals. After the investigation has been completed a report is issued on the causes of the dispute, and if the panel is authorized, it may offer possible solutions. Advisory arbitration is little more than fact-finding with recommendations. But decisions arising from this procedure have a judicial quality and are more likely to be accepted by the parties than recommendations resulting from fact-finding, especially when public employees are involved. In binding arbitration the parties have agreed to, or are legally obliged to, accept the decision of a third party who acts in a quasijudicial capacity. Binding arbitration is frequently used in union-management relations to resolve disputes over the interpretation of existing agreements. Less commonly, it is used to settle controversies over the terms of new agreements.

Sanctions

The third approach to decision-making involves the use of sanctions to influence the outcome of a dispute. The basic characteristic of a sanction is one party's capacity to impose pressure or to inflict costs on the other party. In a college or university milieu, the possible sanctions fall into three general categories: political, educational, and economic.

Political sanctions rely on the use of the political process to influence the resolution of issues in dispute. At a number of the campuses studied, the faculty turned to lobbying before legislative or executive agencies when the administration, the governing board, or the legislature failed to satisfy faculty demands. At one junior college, where the financial support of the school depended on local taxes, the faculty resorted to political activities for the purpose of obtaining consent to an increase in taxes. In another case, the faculty instituted a letter-writing campaign to the press and the board of trustees, alleging the incompetence and intransigence of the campus administration. In yet another case, faculty members went directly to state legislators to encourage investigation and censure of adminstrators whose policies they resented. These political tactics were sometimes initiated to change the view of the administration or the board of trustees, and in other situations were designed to change the immediate environment in which discussions with the administration took place.

Educational sanctions are attempts to attack directly the professional standing of the institution or the administration involved in the dispute. Perhaps the best known educational sanction is formal censure by the AAUP. This sanction is normally invoked because of a violation of the AAUP standards of academic freedom. At two institutions studied, the faculty itself voted censure of the administration. A more extreme educational sanction is the attempt by the faculty to have accreditation withdrawn from an institution. In the long and acrimonious dispute at St. John's University in New York, published accounts indicate that some of the faculty, acting through external associations, have sought to achieve the withdrawal of that institution's accreditation by the Middle States Association of Colleges and Secondary Schools.

Economic sanctions are measures that aim at impairing the ability of the institution to use or attract resources necessary for effective operation. The faculty at several of the colleges included in our sample have engaged in strikes. The blacklist has also been used by external associations to reduce the availability of new faculty to an institution. More subtly, a "partial strike" may be imposed whereby the faculty fulfills its contractual obligations to meet classes and turn in grades but refuses to undertake the other normal activities associated with the profession, such as the recruitment of new faculty members, scholarly research, or the direction of individual work by students. Another device in the arsenal of economic sanctions is faculty encouragement or support of student boycotts.

A Taxonomical Comment

The system of classification adopted here is neither exhaustive nor mutually exclusive. In addition to the methods listed above, another implicit approach may be identified: the power of discontent. A faculty that is visibly dissatisfied with an administrator's proposal or decision often can cause him to modify his position, either by diminishing his esteem on the campus or by posing an implied threat of the use of sanctions.

As with any system of classification, the specification of alternative approaches to decision-making in faculty-administration relationships presented here contains areas of overlap and ambiguity. However, the three major categories—information-sharing and reason, third-party intervention, and the use of sanctions—appear to define the outer limits of the methods of decision-making utilized in institutions of higher education. Intermediate or "mixed" approaches should be readily inferable from the basic classification system.

PROPER MODES OF CAMPUS DECISION-MAKING

Of the alternative methods of decision-making, which are most appropriate in higher education and under what circumstances might they be used? In order to answer this question meaningfully, it is necessary to focus first on the aggregate issues—those issues which affect the faculty as a whole, such as educational policy—and then on individual issues which have a special relevance for the individual faculty members, such as promotion decisions.

Aggregate Issues

As previously stated, we believe that decision-making authority concerning most aggregate issues should be shared by the faculty and the administration. If this objective is attained, the techniques of information-sharing and persuasion will be emphasized. The faculty must have access to pertinent factual information, and both parties should give primary attention to the underlying problems, not merely the initial proposals which grow out of these problems. Above all, the faculty and the administration should recognize that many problems do not have unique answers, and that the resolution of differences may require compromise.

Inevitably there will be situations in which reason does not prevail or in which effective faculty participation on a local campus is undermined by decisions made at higher levels. Under these circumstances, resort to other techniques may be deemed appropriate.

Failure to share authority at the campus level. On campuses where the concept of shared authority is not recognized, or where faculty advice is given only cursory attention, the faculty has the right to employ a variety of methods in order to influence decisions. In this situation, the use of a neutral third party is especially appropriate because of the emphasis given to fact-finding and other elements of rationality. Realistically, however, an administration which refuses to share authority with its own faculty will probably not be willing to accept the judgment of an outside party. If experience in industrial relations is any guide, third-party assistance in the settlement of disputes over aggregate issues generally will be utilized only after sanctions are invoked or threatened. Thus, an aggrieved faculty on a campus where the administration resists the sharing of authority may have to resort to sanctions in order to gain a voice in the decision-making process.

Of the three types of sanctions, educational sanctions have the strongest tactical appeal because of the relative ease of initiating votes of censure or petitions for the withdrawal of accreditation and because of the probable effectiveness of these measures. But if these measures are easy to initiate, they are difficult to terminate: the repercussions of the withdrawal of accreditation may persist well beyond the life of the problem which called forth its use. Thus, educational sanctions must be used with judgment and restraint because they may be more damaging to the long-run status of the institution than the faculty intends. An elephant gun will kill mosquitoes, but it may knock down the house as well.

Problems also exist in the use of political sanctions. The exercise of pressure through the legislature or the governor is a cumbersome and indirect approach to coping with a specific dispute on a local campus. In addition, the governance of local campus affairs is, or should be, insulated from gross political pressures. The faculty should be wary of establishing a precedent that may have undesirable effects in the future. Although political sanctions may be applied in local disputes involving fundamental issues such as academic freedom, their use is best limited to problems arising at the systemwide or legislative levels.

The most difficult policy question in this area is whether economic sanctions, particularly the strike, are ever appropriate. We are aware that strikes are illegal in most states, at least for public colleges and universities. Yet experience has demonstrated that the onus of illegality will not insure the absence of strikes; even in the limited sample of campuses that we studied, strikes took place in violation of the law. It may be possible to frame laws that make strikes in higher education so injurious to the participants that they never occur. But we believe that repressive laws are misguided. While we would be hard-pressed to deny the crucial importance of higher education, few aspects of this activity are so essential in the short run that society would be threatened by their temporary cessation (although the most aggrieved faculty might be ill-advised to shut down a campus if it were the site of the Michigan State-Notre Dame football game).

There is also a high probability that a suppressed strike in higher education would lead to other manifestations of faculty discontent that would be more destructive to the institution, in the long run, than a strike. Thus, if the substitute for the explicit use of economic force is the "partial strike," in which the faculty members meet the minimal legal requirements of their jobs but refuse to engage in other professional activities, then a formal strike seems preferable. Even if the administration could break a "partial strike" by performing some of the faculty's essential nonteaching tasks, this action would probably leave a legacy of bitterness without solving the basic problems. Moreover, a formal strike can have a salutary effect by dramatically forcing attention to the causes of faculty discontent. In addition, a strike generally has an accepted termination, while the use of other "partial" economic sanctions may drag on indefinitely without a dissipation of feelings of ill will.

Accordingly, we conclude that there are no decisive reasons why the faculty should be denied the opportunity to strike, in terms of either society's essential needs or the long-run interests of the institution. Most faculty members will resist the tendency to strike because use of this weapon seems inconsistent with their view of themselves as members of a profession committed to reason. We share this hesitancy to endorse strikes, but we do not automatically reproach a faculty which feels compelled to take this step as a last resort when other methods have been exhausted. If the administration has denied the faculty the right to participate effectively in campus decision-making, then it must accept a major share of the responsibility when a strike ensues.

Countermanding of local authority. Assuming that our admonitions are heeded and arrangements are developed which permit joint decision-making at the campus level, problems may still arise when a higher governing board or the legislature rejects the decisions reached by the parties. In one public institution studied, the state's super board frequently overruled the decisions of the board of trustees. In another case, the legislature often rejected the recommendations of the super board. What steps can the faculty take if decisions reached on a particular campus are overturned at higher levels of control? Clearly, this problem is most likely to arise in public systems of higher education, but comparable difficulties can occur in multicampus private institutions.

In coping with this problem, a distinction should be made between the situation in which a local decision is reversed by the legislature and that in which the decision is countermanded by a body other than the legislature. In the latter case, information-sharing and persuasion are, of course, commended as the initial approach to resolving differences. This method will be enhanced if the faculty is assured direct access to the supra-campus decision-making bodies.

Disputes between the local faculty and higher governing boards may be amenable to neutral third-party intervention also. Because the delegation of authority by a public body may pose serious legal questions, the most feasible form of third-party intervention is fact-finding with recommendations. If the board denies the use of a neutral third party, or rejects the third party's recommendations, then the faculty may turn to the use of sanctions. The exercise of political pressure on the governing board may be considered the most appropriate sanction, especially when the local faculty group can enlist the support of external associations with a broad membership. Governing boards, however, are likely to be appointive and thus partly insulated from political pressures, so that educational sanctions may have to be used as a supplement or a substitute. The sanctions invoked can range from censure of the members of the governing board to petitions for an investigation by an accrediting agency. By attacking the professional competence or judgment of the board, the faculty may generate substantial pressure from both the educational community and the public at large.

To complete the chain of possibilities, if political and educational sanctions are ineffective in dealing with the governing board, then economic sanctions may be brought into play. The calling of a strike against a governing board gives rise to the same questions and feelings of reluctance indicated in considering the use of this weapon in resolving a dispute on a single campus. In addition, as a practical matter, a successful strike against a governing body probably requires widespread support throughout the state system of higher education. Nonetheless, if the situation has deteriorated to the point that the only alternative is total faculty acquiescence to an arbitrary position taken by the governing board on a matter of vital importance, then resort to a strike should not be precluded. The reported reaction of some faculty groups to the actions and plans of the Board of Regents of the University of California in 1967 indicates that the use of a strike in such circumstances is not inconceivable.

Disputes between the faculty and legislature probably require a different mix of techniques for reaching an accommodation. We reaffirm the desirability of appeals to reason, and we believe that the faculty should have effective channels of access to the legislature in order to implement the process of persuasion. Political sanctions, such as the traditional pledge to reward the faculty's friends and punish its enemies, hold the greatest promise of success. However, educational sanctions aimed at dissuading prospective faculty members from accepting positions in the state system may also be utilized. Because of the sweeping effects of this sanction when applied on a systemwide basis, it should be used only in cases of extreme provocation, when legislative actions are viewed as a basic threat to the integrity of higher education.

Individual Issues

The emphasis given to different approaches to decision-making and dispute settlement should reflect distinctions between aggregate and individual issues. Aggregate issues usually involve questions of institutional policy and broad group interests. Individual issues normally arise from the application of general policies to a particular faculty member and affect his status or well-being vis-à-vis other faculty members. Thus, a general policy may state that teaching loads should be equalized among members of each department, but disputes may develop over the consistent application of this policy in particular cases. To a large extent, the individual issues stem from the employee-employer aspects of faculty-administration relations in complex, hierarchical institutions.

In view of the nature of individual issues, faculty-administration disputes in this area should be resolved through a combination of information-sharing, persuasion, and third-party intervention. These techniques can be effectively combined in a formal appeals or grievance procedure. When a faculty member has a complaint, it can be submitted to a designated administrative official. If the complaint is not resolved to the mutual satisfaction of the parties, it can be referred to successively higher levels in the administrative structure. At each step there may be a formal hearing in which the relevant evidence and arguments are presented. In many noneducational enterprises, the final step in the appeals procedure is referral to a neutral third party for binding arbitration. In several of the institutions studied, a formal grievance procedure was in operation. None of these procedures provided for arbitration by an outside third party, but in one large university disputes over individual issues could be referred for final determination to a panel comprised of an equal number of administrators and faculty members.

The particular details of an appeals procedure obviously will vary with the institutional setting. In addition, the applicability of third-party arbitration as the final step may depend upon the issue involved. For example, when promotion and tenure decisions are the result of an evaluation of the faculty member by his peers, arbitration should be applicable only if the peer judgment is nullified by the administrators or if there is *prima facie* evidence that the decision involves a question of academic freedom. There is no reason, however, why a wide range of individual issues such as class assignment, work loads, and the allocation of perquisites should not be subject to a formal appeals procedure, including some form of arbitration.

The adoption of an appeals procedure with a provision for arbitration should rest on the waiver by the faculty of the right to use sanctions. By gaining the right to "judicial review," the faculty should be willing to forego pressure or force. In the absence of a provision for arbitration, the other methods appropriate to the resolution of aggregate issues should also be applicable. Because individual issues are unlikely to involve the governing board or the legislature, political sanctions will generally be inappropriate. However, if an individual issue involves an important question and arouses the support of a large segment of the faculty, it thereby becomes an aggregate issue, and the exercise of some form of sanction cannot be ruled out.

Faculty-Administration Decision-Making: An Overview

This discussion of alternative approaches to decision-making may create certain misapprehensions. In our analysis of a wide variety of techniques we have given considerable attention to the possible use of sanctions. In part, this arises from the fact that the implications of sanctions, such as the strike, have rarely been explored in the context of institutions of higher education. Most faculty members and administrators are aware of the force of reason, but few have contemplated or experienced a strike. We hope and expect that arrangements will be developed that facilitate the settlement of most or all faculty-administration disputes by a process of information-sharing and persuasion. If this ideal is not realized, some form of third-party intervention can help to provide sound, equitable solutions. These statements of preference, however, should not deny the threatened or actual use of sanctions when other methods have failed.

7

Systems of Faculty Representation

The specification of values, issues, organizational forms, and techniques for decision-making provides the basic elements of alternative systems of faculty representation. Three approaches may be identified in terms of the major organizational forms previously specified: internal systems of representation, external systems, and bargaining relationships. At this point in time it would be erroneous to view these alternatives as irrevocably exclusive choices. Obviously each system may contain elements of the others in practice. Some elements of bargaining between the faculty and administration will inevitably develop in even the most harmonious internal system. Similarly, the dominance of a bargaining agency does not extinguish all elements of reason and professionalism in campus governance. The relationship between external associations and local faculty groups may also change so that the association will closely support the local groups in their dealings with the administration. The rapid growth and wide variety of institutions of higher education indicate that considerable experimentation will and should be forthcoming.

The dynamic nature of emerging systems of representation increases the complexity of devising sound recommendations, but it also makes such recommendations more imperative. There are important distinctions between faculty-administration relations based on the concept of shared authority and those based on the concept of power, between professional interests and employee interests, and between internal organizations and those which exert pressure outside of the formal framework for decision-making. The broad choices that are made will have a crucial effect on the initial character of faculty-administration relations and the subsequent evolution of the relationship. In this respect, our recommendations constitute a preferred framework for experimentation, accepting the possibility that all three systems of representation may be present on the campus in one form or another.

First, we assert that systematic procedures for faculty representation are essential to maintain or improve the quality of higher education in the United States. Second, we believe that this objective can best be achieved by shared authority through an active internal organization, preferably an academic senate. The senate can most effectively give expression and effect to the professional values and competence of the faculty. It can provide a forum for the resolution of a wide range of issues involving the mission and operation of the institution. It is most likely to cultivate the use of rational persuasion. And it can draw support from, or relate its activities to, a variety of external associations, depending on need.

Our preference for the shared authority-academic senate model does not mean that we view the arrival of bargaining agencies, such as unions, as an inexorable threat to the fundamental nature of higher education. It is true that in most situations traditional bargaining agencies give great emphasis to the application of standardized rules to the conditions of employment. This approach probably would have a deleterious effect on the role of the faculty in the educational process. However, the record of experience in the industrial sector does not preclude the possibility that collective bargaining will make constructive contributions to the administration of educational enterprises. One of the outstanding attributes of some American unions has been their capacity to adapt themselves to the special conditions of their environment.

Whether the primary mechanism is the senate, the bargaining agency, or some mixture of the two, the test of wise administration is the ability to structure these arrangements so as to realize best their potential benefits and adjust them to constructive purposes. The remaining parts of this chapter will be devoted to laying down some comprehensive guidelines to aid in this task.

THE INTERNAL SYSTEM: THE ACADEMIC SENATE

Functions and Issues

The concept of shared authority cannot be operational unless the faculty can influence basic decisions that condition its professional role. In this respect, there should be no fixed limits on the substantive scope of the senate's deliberations. Clearly, questions of educational policy and administration such as curricula, degree requirements, scholastic standards, and academic freedom should be systematically considered by the senate or its designated committees. Indeed, primary responsibility for these matters should rest with the faculty and be delegated to the senate. These issues are central to the educational program and define the professional role of the faculty member in his dealings with students. The administration obviously should participate in the determination of policies in this area and in the development of innovations; but the judgments of the faculty, based on intensive investigation and discussion, should be controlling.

In other broad educational and administrative areas the senate should be involved with the administration on a collaborative or shared basis at an early stage of the decision-making process. Issues in this category include admissions policies; changes in the mission of the institution; rules governing student behavior; policies regarding public questions which affect the role of the institution, such as contracts with government agencies; and the appointment of administrative officers. Here, both the faculty and the administration can bring special knowledge and points of view to bear on the problem under consideration.

One of the most contentious problems of policy has been the extent of faculty participation in the selection of administrative officers. In many of the cases studied, considerable controversy was generated over the method of selecting administrative officers and the qualifications of the person selected. A new dean or president who did not meet the standards supported by the faculty was quickly beset by difficulties. Even in a few of the junior colleges, where traditional practice has denied the faculty an active role in the selection process, those presidents who were unacceptable to the faculty ultimately left under fire. Extending the concept of shared authority to the selection of administrative officers may help to avoid the destructive aspects of an extralegal process of faculty acceptance or rejection.

The right of senate participation, on a shared basis, should also extend to the determination of the over-all budget of the institution or comprehensive system. The administration retains the responsibility for the initial formulation of the budget, but faculty opinion should be reflected in the process and the senate should be involved at an early stage of review. In some cases, where the institution is affluent or where no serious conflicts have arisen, the senate may choose not to exercise the right to participate in the budgetary process. In other situations, however, the faculty's judgment on broad educational policy cannot have a real effect without involvement in the budget-making process as it relates to major categories of expenditures.

Faculty involvement in the budgetary process undoubtedly gives rise to fears of irresponsibility. On the contrary, in some of the institutions studied, the active participation of the faculty in various aspects of budget-making has had salutary results. In fact, this participation generally has been marked by faculty prudence and considerable creativity in dealing with budgetary problems. In effect, the joint budgetary process has made "honest men" of both faculty representatives and the administrators.

In dealing with these broad policy and fiscal issues, the structure of faculty representation obviously must be adapted to the structure of decision-making in the institution or system. Thus, if the budget is formulated at the super board level, then the appropriate unit of participation will be the systemwide senate or a committee drawn from the senates of the several campuses. Similarly, if degree requirements are determined by the institution, faculty participation should proceed at that level. Generally, faculty participation should begin at the lowest possible level in order to retain close contact with the problems encompassed by each issue.

Supplementary Procedures

Certain aggregate economic issues and problems of personnel administration probably are inappropriate for direct consideration by the senate. The economic issues include questions of salary levels and ranges for particular ranks and the magnitude and composition of fringe benefits. The problems of personnel administration involve promotion and tenure decisions, the determination of the salary of individual faculty members, class and office assignments, the allocation of perquisites such as secretarial help, and related matters. These issues involve problems of equity and may also engender explicit adversary interests of the faculty and the administration. As a collegial body, the senate probably is not the appropriate agency for handling these disputes. However, the senate can establish procedures outside the framework of its proceedings to deal with these matters. In this manner the potential conflicts may be dampened by drawing on the good will and sense of professionalism created by the senate.

Separate procedures may be established for dealing with the two categories of issues. A joint faculty-administration salary committee could handle the problems of distributing salary increases or determining the magnitude and composition of fringe benefits. The faculty members in the senate would select the faculty representatives on the committee. The committee would only be concerned with salary levels and the range for the different classifications, and would not deal with the compensation of individual faculty members. Against the background of faculty participation through the senate in general budgetary questions, the parties may be able to reach agreement without major controversies. Similar procedures have been utilized with considerable success in several institutions, both private and public. The problem of salary structure has commanded the greatest attention in public institutions in general, and the junior colleges in particular, where elaborate salary schedules have been developed. Here the faculty members often have precise information concerning the details of the schedule, but the logic—or the merit—of the structure may not be apparent to the faculty unless it has participated actively in its development.

The handling of disputes involving questions of personnel administration and individual salary determination requires a separate procedure. In a few cases the determination of individual salaries has been delegated to faculty committees at the departmental or divisional levels. These committees generally make recommendations within limits determined by the administration. In most institutions, however, questions involving individual salaries and other aspects of personnel administration are left to normal channels. Individual grievances over salary, promotion, office space, or class assignment can be referred to successively higher levels in the bureaucracy, which generally means that one administrator evaluates another administrator's actions. As in industry, the use of this approach often leaves a legacy of ill will even though the decision is just in some abstract sense.

To fill this gap, a formal appeals procedure spelling out the rights of the aggrieved and the levels of appeal should be established. There are no presumptive reasons for establishing *a priori* limitations on the substantive scope of the procedure. The issues giving rise to individual complaints may vary widely from campus to campus. The specific coverage of the procedure may be determined in the light of the problems that are important at each institution. The academic senate should play the leading role in prescribing the scope and other details of the appeals procedure.

In order to promote the effective operation of the appeals procedure, certain conditions should be met. The complaint should be handled without excessive delays between the different levels of appeal. The appellant should have the right of representation if he desires. In addition, the procedure should incorporate the judgment of non-administrative persons at some stage. As a final step, arbitrators might be drawn from a panel of respected faculty members or third parties outside the institution. These arbitrators could make recommendations or might be empowered to hand down final, binding decisions. Arbitration might not be appropriate to all institutions or issues, but should be viewed as an alternative procedure which may be utilized on a regular or *ad hoc* basis as the parties to the complaint desire. In a recent case receiving national attention, binding arbitration has been proposed as a method for resolving a bitter dispute over the discharge of several faculty members.

In the cases studied in which a formal appeals procedure has been created, there has been no evidence that it has been used promiscuously or for petty purposes. Indeed, one of the constructive consequences is that it gives the parties to the complaint an incentive to reach agreement before the judgment of other persons is invoked. By lending their support to such a procedure, the faculty and the administration can help to supplement reason with due process.

Techniques of Decision-Making

As the organizational expression of professionalism and the concept of shared authority, the senate should rely primarily on reason and persuasion in its dealings with the administration. This endorsement of rationality, however, imposes reciprocal obligations on both within limits determined by the administration. In most institutions, however, questions involving individual salaries and other aspects of personnel administration are left to normal channels. Individual grievances over salary, promotion, office space, or class assignment can be referred to successively higher levels in the bureaucracy, which generally means that one administrator evaluates another administrator's actions. As in industry, the use of this approach often leaves a legacy of ill will even though the decision is just in some abstract sense.

To fill this gap, a formal appeals procedure spelling out the rights of the aggrieved and the levels of appeal should be established. There are no presumptive reasons for establishing *a priori* limitations on the substantive scope of the procedure. The issues giving rise to individual complaints may vary widely from campus to campus. The specific coverage of the procedure may be determined in the light of the problems that are important at each institution. The academic senate should play the leading role in prescribing the scope and other details of the appeals procedure.

In order to promote the effective operation of the appeals procedure, certain conditions should be met. The complaint should be handled without excessive delays between the different levels of appeal. The appellant should have the right of representation if he desires. In addition, the procedure should incorporate the judgment of non-administrative persons at some stage. As a final step, arbitrators might be drawn from a panel of respected faculty members or third parties outside the institution. These arbitrators could make recommendations or might be empowered to hand down final, binding decisions. Arbitration might not be appropriate to all institutions or issues, but should be viewed as an alternative procedure which may be utilized on a regular or *ad hoc* basis as the parties to the complaint desire. In a recent case receiving national attention, binding arbitration has been proposed as a method for resolving a bitter dispute over the discharge of several faculty members.

In the cases studied in which a formal appeals procedure has been created, there has been no evidence that it has been used promiscuously or for petty purposes. Indeed, one of the constructive consequences is that it gives the parties to the complaint an incentive to reach agreement before the judgment of other persons is invoked. By lending their support to such a procedure, the faculty and the administration can help to supplement reason with due process.

Techniques of Decision-Making

As the organizational expression of professionalism and the concept of shared authority, the senate should rely primarily on reason and persuasion in its dealings with the administration. This endorsement of rationality, however, imposes reciprocal obligations on both parties. Neither faculty politics nor administrative concern with prerogatives should inhibit a frank discussion of important issues. There should be a sensible delegation of responsibility to small working committees to permit intensive consideration of specific issues. Reason is not always a catalyst for agreement; but there is some hope, if not expectation, that it will enjoy greater success when applied to problems on the campus than in other contexts.

What if reason does not prevail and the faculty and the administration reach an impasse over a particular issue? In this circumstance the senate may resort to educational and political sanctions. Clearly, the senate can exert great pressure by passing motions of censure, petitioning accrediting bodies, and sending delegations to the legislature. Such actions will induce most administrations to reexamine the justification for their adamancy.

We do not expect the use of economic sanctions by the faculty when there is an effective academic senate. If, however, relationships between the faculty and the administration have deteriorated to a state of intransigence over a crucial issue, the possible use of economic sanctions cannot be ruled out. Under these circumstances, it is clear that the senate has been transformed from a forum for the sharing of authority to a lever for the exercise of power. Although the formal structure for collegial relationships between the faculty and administration may still exist, strenuous efforts by both parties will be necessary to restore a satisfactory basis for shared authority.

Some observers may contend that the distinction between the use and consequences of the different techniques for breaking an impasse is specious. What difference is there in the power to undermine an institution by seeking a withdrawal of accreditation and a strike which curtails the formal educational process? To be sure, both tactics involve power in a broad sense; but the sources of this power may be sharply distinguished. A strike by professors inflicts harm on the institution by the autonomous acts of the faculty. In contrast, the effectiveness of professional sanctions depends, in a large measure, on the reaction of third parties. For example, an effort to rescind the accreditation of an institution is most likely to succeed when it can be demonstrated that the administration has violated basic standards of academic freedom or tenure. In this sense, then, the effectiveness of these sanctions is based on the respect for truth that is so central to the faculty member's view of his role on the campus and in society at large.

THE ROLE OF THE EXTERNAL ASSOCIATIONS

The comprehensive role of the senate does not preclude active relations between the senate and external associations. As indicated earlier, the external organizations can carry out many useful functions that support and complement the activities of the academic senate. In order to realize the specific advantages of each form of organization, however, the leadership of each body must appreciate and emphasize elements of collaboration and mutual support rather than competition. The elements of collaboration and support fall into two general categories: technical services and dispute settlement.

Technical Services

A basic strength of the academic senate is its familiarity with and close involvement in the affairs of a particular campus or institution. On the other hand, the highly localized nature of the senate has meant that it has limited resources and incomplete knowledge of relevant developments on other campuses. In this situation, external organizations, especially the systemwide and national associations, can provide many useful services.

First, they can provide technical information concerning the organization and operation of an effective senate. In many junior colleges and emerging institutions the faculty—and the administration—are unfamiliar with the arrangements necessary for meaningful faculty representation. By providing guidance in this area, the associations can reduce the initial problems of organization and hasten the development of a mature senate. In addition, the local chapter of the national association can help insure that the senate retains its independence and reflects faculty opinions.

Second, the associations can establish communication channels among the senates at different institutions or in different statewide systems. In this manner the senate at a particular campus can draw on the experience of faculty organizations at other institutions in dealing with common problems. Too often academic freedom has meant academic insularity, especially in the area of campus governance. Communication among the senates at different institutions can be facilitated by conferences, publications, and the activities of regional representatives.

Third, external associations can offer special information regarding particular substantive issues. The AAUP and NEA salary surveys are obvious examples of useful specialized information collected and disseminated by national associations. The focus of such surveys could be expanded to include fringe benefits, policies governing sabbatical leaves, and teaching loads. These data would permit the senate to evaluate better the status of the faculty and the policies of the institution. Except for random conversations at annual professional conventions, college faculty members seldom have the opportunity to make comparisons of conditions at various institutions. The national association is in a position to carry out this task economically and with broad coverage. In general, then, the external association can provide valuable backup services and intelligence for the local senate.

Facilitating Dispute Settlement

In the event that disputes arise between the faculty and the administration, the external associations can play a vital role in bringing about agreement. When a controversy develops, the associations, especially those with national prestige, can offer the services of a mediator to help the parties reach a mutually satisfactory settlement. The mediators can be obtained from the staff of the association or, more appropriately, from a panel of distinguished persons in higher education. If mediation fails, the parties to the dispute can extend the process of third-party intervention to include arbitration. The use of the national association to select an arbitrator would help to insure the designation of a person familiar with the unique character of higher education and the issue in dispute.

In addition to facilitating third-party intervention, the external associations may also, when necessary, support or initiate the use of sanctions. In the political area they can augment the presentation of faculty groups in state systems where the dispute involves the super board or the legislature. By rallying the support of the academic community outside the institution associated with the controversy, the associations can heighten public awareness of the faculty's point of view.

Moreover, many of the educational sanctions can be used effectively only if they are invoked or supported by the national associations. Blacklisting, efforts to obtain the withdrawal of accreditation, and censure must have wide support in order to be consequential. The key role of the associations in the application of educational sanctions also provides some assurance that these drastic measures will not, or cannot, be used for capricious reasons by a local senate.

Admittedly, the role prescribed for the external national associations is a difficult one. Coincidentally, they are asked to provide services to the academic senate, to act as a third party in disputes, and to support or control the use of sanctions. Thus they must strike a delicate balance between serving the faculty and promoting constructive faculty-administration relationships. However, because they can represent general professional values in higher education, and because they do not have a vested interest in individual institutions, there is a high expectation that these multiple objectives can be realized.

BARGAINING RELATIONSHIPS

Although the preferred system of faculty representation involves a dominant role for the academic senate, an alternative system may develop in which the primary vehicle for faculty participation in campus governance is a bargaining agency. Notwithstanding our preference for an effective academic senate, we reaffirm our conviction that when a majority of the faculty in an appropriate unit prefer to be represented by a bargaining agency, this choice should be given full recognition. Society has adapted to the presence of strong unions in many sectors of the economy, and while collective bargaining may pose special problems for institutions of higher education, the development of faculty-administration bargaining relationships should not pose a major threat to the essential functions of higher education. There are, however, variations in the conduct of bargaining relations that will affect the impact of these new arrangements on the university community and the performance of the agency for its members.

A basic problem in establishing a bargaining relationship concerns the issues that are subject to negotiation. Even a strong bargaining agency is not ideally suited to handle all of the issues that arise in the administration of higher education. Bargaining relationships are most appropriate to issues with a high potential for conflict between the parties. The issues most likely to generate conflicts of interest between the administration and the faculty are those arising from the employee status of professors. Thus, bargaining relationships will focus primarily on economic questions and on problems of personnel administration. The experience with collective bargaining in industrial enterprises suggests that economic questions and the development of general standards governing personnel administration can best be dealt with in periodic negotiations between the bargaining agent and administration. The resulting agreement should be incorporated in a formal written contract. Problems arising from the application of the contract should be resolved through *ad hoc* conferences or a formal grievance procedure terminating in neutral third-party arbitration. The bargaining agency should have the right to represent and assist the individual grievant in presenting his case at all steps of the procedure.

When a bargaining relationship has been established, two broad alternatives are available for the handling of issues of educational policy and administration. First, these issues may revert to the status of management prerogatives, as is the case in conventional industrial enterprises. This means that the administration retains the right to make unilateral decisions concerning standards of admission, degree requirements, and related matters.

Second, the administration may wish to preserve and support elements of professionalism in faculty-administration relationships by assigning these issues to an internal organization, such as a mixed senate. It should be stressed that the development of a bargaining relationship does not automatically preclude collaborative discussions over educational issues between the faculty and the administration. Indeed, the need for maintaining some collaborative framework for discussion is essential lest the adversary character of a bargaining relationship color all aspects of decision-making. Several bargaining agencies, including both the New York State and the California affiliates of the AFT, have proposed a division of authority over different issues between the bargaining agency and the academic senate.

While we support a division of issues between a bargaining agency and an academic senate when both are well established on a campus, we recognize that any such demarcation is likely to be unstable over time. The record of collective bargaining in industrial settings reveals a steady expansion of union concern and influence to topics previously identified as management prerogatives. A parallel series of developments may take place in higher education. For example, the determination of admissions standards may be assigned initially to a senate as an issue of educational policy. This issue, however, may soon appear on the formal bargaining agenda because of the consequences of admissions policies on faculty work loads.

Despite the possibility of such developments, we nonetheless believe that an academic senate should be established even when a bargaining agent has representation rights on a campus. If the senate can implement effectively the concept of shared authority in dealing with problems of educational policy, then it is likely that the senate's influence will ultimately extend to other substantive issues as well. Consequently, faculty support of a bargaining relationship will probably diminish. On the other hand, if the senate is ineffective, the bargaining agency may press for negotiations over a wide range of policy issues. There is also the possibility that a stable relationship between the senate and the bargaining agent may be evolved. The present stage of development in the area of faculty representation and academic negotiations affords great latitude for experimentation.

As in the case of internal systems of representation, the structure of an effective bargaining relationship must be adapted to the locus of decision-making for different issues. A contract negotiated at the campus level is meaningless if it can be repudiated at will by a governing board which has authority over several campuses. Clearly, a major problem in establishing effective bargaining relationships is the need to relate the scope of organization by the bargaining agency to the structure of a comprehensive system of higher education. In some cases, a bargaining agent may attempt to remedy a deficiency in the scope of organization by applying pressure to the governing board or the legislature through other elements of organized labor or through the state education lobby.

Our views on the sanctions appropriate to bargaining relationships were presented in detail in Chapter 6. We noted that political and professional sanctions are relevant for most cases of decision-making where the faculty and the administration did not share authority.

Economic sanctions should be permitted in most circumstances, although the use of such sanctions should be limited to instances of crucial importance. However, if all other approaches to decision-making have failed—including fact-finding and recommendations by neutral third parties—there are no compelling reasons why faculty members should be denied the strike sanction. Moreover, as indicated previously, strikes may be preferable to alternative methods of pressuring the administration that inevitably will be utilized if the right to strike is denied.

Those who feel that strikes in the higher education sector are anomalous should realize that many of the strikes which have occurred to date can be traced to deficiences in the law applicable to public employees. Several strikes have involved disputes over the faculty's right to choose a bargaining agent and the administration's authority or obligation to bargain with the designated representatives. Strikes over such issues have largely disappeared in private industry because of statutory guarantees of the employees' right to select a bargaining agent and the employer's duty to bargain.

The establishment of a proper statutory framework is an important, but not a sufficient, condition for the evolution of constructive bargaining relationships. In the long run, the attitudes of administrators and members of the board of trustees toward the bargaining agent selected by a majority of the faculty will have a determinative effect on the nature of the relationship. If a bargaining agent is viewed as an aberration to be quashed or ignored, the introduction of bargaining relationships will be much more likely to disrupt the process of higher education. Conversely, if the administrators accept the emergence of a bargaining relationship as an indication that serious problems of representation and policy exist, then the constructive contributions of the new arrangements may be maximized.

A CONCLUDING NOTE

This report has presented a range of choices for systems of faculty representation in institutions of higher education. We have asserted and amplified our general preference for an internal system of representation through the establishment of an effective academic senate. We recognize, however, that external associations have an important role to play, and that the faculty members on some campuses will choose bargaining agents. Our field studies and our deliberations have persuaded us that some system of faculty representation is likely to emerge on most campuses in the near future, especially as institutions of higher education are subjected to the strains of further growth.

As part of the conventional wisdom in labor-management relations, it is often said that employers get the kind of industrial relations they deserve. Although this admonition, like most generalizations, is not applicable in all cases, it contains sufficient validity to warrant a restatement in the context of institutions of higher education: The pattern of campus governance that prevails in the future will be determined by the measures taken by governing boards and administrators to deal with faculty aspirations now.